

Wholly Amended by Act No. 7949, Apr. 28, 2006

Amended by Act No. 8108, Dec. 28, 2006

Act No. 8189, Jan. 3, 2007

Act No. 8355, Apr. 11, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9369, Jan. 30, 2009

Act No. 9374, Jan. 30, 2009

Act No. 9584, Apr. 1, 2009

Act No. 9629, Apr. 22, 2009

Act No. 9708, May 22, 2009

Act No. 9931, Jan. 13, 2010

Act No. 10220, Mar. 31, 2010

Act No. 10708, May 24, 2011

Act No. 11233, Jan. 26, 2012

Act No. 11690, Mar. 23, 2013

Act No. 11713, Mar. 23, 2013

Act No. 11965, Jul. 30, 2013

Act No. 12005, Aug. 6, 2013

Act No. 12003, Aug. 6, 2013

Act No. 12307, Jan. 21, 2014

Act No. 12607, May 20, 2014

Act No. 12673, May 28, 2014

Act No. 12858, Dec. 23, 2014

Act No. 13736, Jan. 6, 2016

Act No. 14592, Mar. 14, 2017

Act No. 14839, Jul. 26, 2017

Act No. 15344, Jan. 16, 2018

Act No. 16218, Jan. 8, 2019

Act No. 16892, Jan. 29, 2020

Act No. 17636, Dec. 8, 2020

Act No. 19438, Jun. 13, 2023



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CHAPTER I GENERAL PROVISIONS

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Article 1 (Purpose)

The purpose of this Act is to promote the sustainable development of the national economy and the improvement of national living standards by promoting innovation of industrial technology and by developing infrastructure for innovation of industrial technology so as to strengthen industrial competitiveness and enhance national capabilities for innovation.

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Article 2 (Definitions)

The terms used in this Act are defined as follows: *<Amended on May 22, 2009; Jan. 13, 2010; Jul. 30, 2013; Dec. 23, 2014>*

1. "Industrial technology" means technology for the development of: The industries defined under Article 2 of the Industrial Development Act; the mining industry defined under subparagraph 2 of Article 3 of the Mining Industry Act; the energy-related industries defined under subparagraph 1 of Article 2 of the Energy Act; and the industries related to new and renewable energy, as defined under subparagraphs 1 and 2 of Article 2 of the Act on the Promotion of the Development, Use and Diffusion of New and Renewable Energy;
2. "Innovation of industrial technology" means a series of processes through which a technological innovator creates new added value in industrial technology by conducting technological innovation (including innovation in planning, design, developing, and improving products and services, as well as process innovation to make the process of manufacturing products and services, the management thereof and related equipment, etc. more efficient) activities and by commercializing the outcomes thereof, utilizing resources for technological innovation;
3. "Technological innovator" means a business, university, research institute, etc., that conducts activities of innovation of industrial technology;
4. "Resources for technological innovation" means tangible and intangible assets necessary for innovation of industrial technology, including human resources involved in industrial technology, research equipment and facilities, intellectual property rights, and technological and industrial information;
5. "University" means a university, industrial college, junior college, or technical college defined under Article 2 of the Higher Education Act;
6. "Research institute" means a national or public research institute; a research institution governed by the Specific Research Institutes Support Act; a government-funded science and technological research institute under subparagraph 1 of Article 2 of the Act on the Establishment, Operation, and Fostering of Government-Funded Science and Technology Research Institutes; a research institute specializing in manufacturing technology under Article 42 of this Act; or a research institute incorporated under the

Civil Act or any other Act as a corporation specializing in research into industrial technology;

7. "Projects for innovation of industrial technology" means projects for the development of industrial technology under Article 11; projects to promote commercialization of developed technology under Article 15 (2); projects to develop infrastructure for industrial technology under Article 19; projects for international cooperation in industrial technology under Article 27; and other projects implemented in collaboration with the Government, technological innovators, etc., so as to promote innovation of industrial technology;

8. "Outcomes of technological innovation" means tangible outcomes, such as products (including prototypes and trial products), equipment and facilities for research, and research notes, as well as intangible outcomes, such as technical data, intellectual property rights, and copyrights to research reports, all of which have been obtained or drawn consequently from the process of innovation of industrial technology;

9. "Commercialization" means developing, manufacturing, and selling products or services with a developed technology or to apply a developed technology to improve technologies related to such process.

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Article 3 (Responsibilities of Government and Technological Innovators)

(1) The Government shall formulate and implement comprehensive policies to promote innovation of industrial technology so as to promote technological innovators' activities of innovation of industrial technology, encourage cooperation and exchange between and among technological innovators, maximize the utilization of resources for technological innovation, and develop a culture of industrial technology.

(2) Businesses shall endeavor to innovate industrial technology and take part in industrial development by strengthening their capabilities for internal innovation of industrial technology, developing industrial technology, and promptly commercializing industrial technology so developed.

(3) Universities, research institutes, etc. shall endeavor to participate in innovation of industrial technology by training excellent human resources in industrial technology and by developing and providing industrial technology.

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Article 4 (Relationship to Other Statutes)

Except as provided in any other Act, the provisions of this Act shall apply to innovation of industrial technology. <Amended on May 24, 2011>

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CHAPTER II FORMULATION OF PLANS FOR INNOVATION
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Article 5 (Plans for Innovation of Industrial Technology)

(1) In order to effectively attain the purposes of this Act, the Minister of Trade, Industry and Energy shall formulate and implement five-year plans for innovation of industrial technology (hereinafter referred to as "innovation plans") and annual implementation plans (hereinafter referred to as "implementation plans") in accordance with the science and technology master plans formulated under Article 7 of the Framework Act on Science and Technology. <Amended on Mar. 23, 2013>

(2) An innovation plan shall provide for the following matters: <Amended on May 24, 2011>

1. Medium- and long-term goals and direction-setting for policies on innovation of industrial technology;
2. Establishment and improvement of systems to promote innovation of industrial technology;
3. Plans for the implementation of projects for innovation of industrial technology;
4. Promotion of innovation of industrial technology in each region;
5. Diffusion and protection of the outcomes of innovation of industrial technology and promotion of the transfer and commercialization of technology;
6. A financing plan for increased investment required for innovation of industrial technology;
7. Promotion of the private sector activities of industrial technological innovation;
- 7-2. Creating and promoting a culture of industrial technology;
8. Other important matters regarding innovation of industrial technology as specified by Presidential Decree.

(3) When the Minister of Trade, Industry and Energy formulates innovation plans and implementation plans, he/she shall ensure that the plans are correlated with the medium- and long-term outlook for industrial development under Article 4 of the Industrial Development Act, the comprehensive plan for autonomous decentralization under Article 6 of Special Act on Local Autonomy and Decentralization, and Restructuring of Local Administrative Systems, and the sectoral action plan under Article 8 (3) of that Act. <Amended on Apr. 22, 2009; Mar. 23, 2013; Mar. 20, 2018; Jun. 9, 2023>

(4) When the Minister of Trade, Industry and Energy formulates an innovation plan, he/she shall present the plan to the Presidential Advisory Council on Science and Technology under the Presidential Advisory Council on Science and Technology Act for deliberation. <Amended on Mar. 23, 2013; Jan. 16, 2018>

(5) Except as provided in paragraphs (1) through (4), matters necessary for the formulation of innovation plans and implementation plans shall be prescribed by Presidential Decree.

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Article 6 (System for Implementation of Innovation Plans,)

(1) In order to systematically implement innovation plans and implementation plans, the Minister of Trade, Industry and Energy shall formulate and implement a detailed plan regarding the following matters:

<Amended on Mar. 23, 2013>

1. Search for growth engines for future industries and core technologies;
2. Basic direction-setting for projects for innovation of industrial technology and schemes to efficiently manage such projects;
3. Comprehensive analysis of the performance of projects for innovation of industrial technology and restructuring of such projects;
4. Schemes for cooperation between the private sector and the public sector, and international cooperation in the development of technology;
5. Planning, evaluation, and management of projects for innovation of industrial technology and coordination of investment in such projects;

6. Other matters specified by Presidential Decree relating to projects for innovation of industrial technology.

(2) If the Minister of Trade, Industry and Energy deems it necessary for the formulation of a detailed plan under paragraph (1), he/she may establish a cooperation system for encouraging participation of non-governmental experts and for gathering consensus therefrom. <Amended on Mar. 23, 2013>

(3) A strategic planning task force shall be established under the Korea Institute for Advancement of Technology established under Article 38 in order to provide professional support in the performance of the affairs referred to in the subparagraphs of paragraph (1). <Amended on Jun. 20, 2023>

(4) The strategic planning task force under paragraph (3) shall be comprised of a team leader and up to seven technology development investment managers (hereinafter referred to as "investment managers"). <Amended on Jun. 20, 2023>

(5) The team leader and the investment managers under paragraph (4) shall be commissioned by the Minister of Trade, Industry and Energy from among the following persons of abundant expertise and experience in industrial technology: <Amended on Mar. 23, 2013>

1. Former company officers responsible for business administration, or a research institute officers annexed to a company, for at least ten years;
2. Persons who have served in a university or officially recognized research institute as at least an associate professor or with an equivalent position for at least ten years;
3. Persons who hold a license to practice as a professional engineer, a certified public accountant, an attorney at law, or a patent attorney, and have been engaged in a relevant job for at least ten years;
4. Other persons recommended by the associations of small- and medium-sized enterprises specified by Ministerial Decree of Trade, Industry and Energy.

(6) Matters necessary for the establishment of the system under paragraph (2) and the organization and operation of the strategic planning task force under paragraph (3) shall be prescribed by Ministerial Decree of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

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Article 7 (Raising Funds for Innovation of Industrial Technology)

(1) In order to effectively promote innovation plans and implementation plans, the Government shall formulate schemes for constantly and sustainably procuring necessary funds.

(2) If the Minister of Trade, Industry and Energy deems it necessary to implement projects for innovation of industrial technology, he/she may recommend the institutions specified by Presidential Decree, from among the institutions referred to in the following subparagraphs as those related to industrial technology (hereinafter referred to as "public institutions for technological assistance"), to provide a certain amount of funds each year (hereinafter referred to as "technological assistance funds") in the form of contributions, subsidies, or loans, or provide other assistance as necessary to the persons who perform a project to innovate industrial technology or affairs related to innovation of industrial technology: <Amended on May 24, 2011; Mar. 23, 2013>

1. Public institutions under Article 4 of the Act on the Management of Public Institutions;

2. Other institutions partially funded by the Government.

(3) In order to efficiently utilize technological assistance funds, public institutions that provide technological assistance shall formulate a plan for technological assistance funds each year and submit it to the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

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Article 8 (Forecasting of Industrial Technological Environment)

(1) The Minister of Trade, Industry and Energy shall forecast changes in the industrial technological environment, taking into consideration the direction for the long-term development of each industry, etc., and shall reflect the outcomes thereof in the formulation of innovation plans and implementation plans. <Amended on Mar. 23, 2013>

(2) Matters necessary for the methods, procedures, etc. for forecasting the industrial technological environment under paragraph (1) shall be prescribed by Presidential Decree.

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Article 9 (Evaluation of Projects for Innovation of Industrial Technology)

- (1) To effectively implement projects for innovation of industrial technology, the Minister of Trade, Industry and Energy may evaluate the performance of such projects. *<Amended on Mar. 23, 2013>*
- (2) Matters necessary for the indicators, targets, etc. for the evaluation under paragraph (1) and the procedures therefor shall be prescribed by Presidential Decree.

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Article 10 (Compilation of Statistics on Innovation in Industrial Technology)

- (1) In order to formulate innovation plans and implementation plans, the Minister of Trade, Industry and Energy shall compile and maintain statistics on innovation of industrial technology both domestically and internationally by interlinking the statistics and the statistics maintained under Article 26-2 of the Framework Act on Science and Technology. *<Amended on Mar. 23, 2013; May 28, 2014>*
- (2) Matters necessary to determine the scope of the statistics compiled under paragraph (1) and the subject matters of surveys therefor shall be prescribed by Presidential Decree.
- (3) Except as provided in this Act, the relevant provisions of the Statistics Act shall apply mutatis mutandis to the compilation and maintenance of statistics under paragraph (1).

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CHAPTER III IMPLEMENTATION OF PROJECTS FOR DEVELOPMENT OF INDUSTRIAL TECHNOLOGY AND COMMERCIALIZATION

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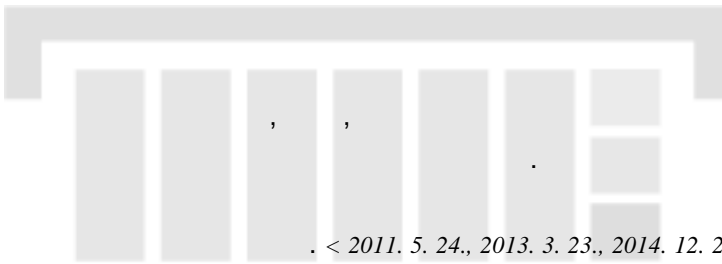
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Article 11 (Projects for Development of Industrial Technology)

(1) In order to efficiently execute innovation plans and implementation plans, the Minister of Trade, Industry and Energy may implement projects to develop technology in the following fields of industrial technology (including planning and research necessary for the development of industrial technology; hereinafter referred to as "projects for the development of industrial technology") in consultation with the heads of related central administrative agencies: *<Amended on May 22, 2009; May 24, 2011; Mar. 23, 2013; Aug. 6, 2013; Jan. 26, 2024>*

1. Manufacturing-based technologies and technologies for parts, materials, equipment, and facilities (including plants), which provide common infrastructure for the industries;
 2. Technologies with promising prospects in various fields of industrial technology;
 3. Technologies relating to process innovation for adding value to the industries, clean manufacturing, environmental equipment, etc.;
 4. Engineering and system technologies required for the integration of core technologies of the industries;
 5. Energy and resource technologies, such as energy conservation technologies and the development of new and renewable energy;
 6. Technologies used for both civilian and military purposes in common, as defined in subparagraph 1 of Article 2 of the Promotion of Technology Projects for Joint Civilian and Military Use Act;
 7. Technologies relating to design and branding, and standards and technologies related to knowledge-based service industries, such as distribution, e-commerce, marketing, business models, etc.;
 8. Technologies required for fostering regionally specialized industries and for the innovation of regional industries;
 9. The development of advanced technologies and high-tech products under Article 5 of the Industrial Development Act and the development of prototypes of capital goods;
 10. Deleted; *<Mar. 23, 2011>*
 11. Linked technologies necessary for the commercialization of developed industrial technologies;
 12. Market-oriented convergence technologies developed through a combination of technologies referred to in subparagraphs 1 through 10;
 13. Other technologies specified by the Minister of Trade, Industry and Energy as technologies whose development should be prioritized for innovation of industrial technology.
- (2) The Minister of Trade, Industry and Energy may authorize a research institute, a university, or any other institution, organization, or business specified by Presidential Decree to execute a project to develop industrial technology. In such cases, the Minister of Trade, Industry and Energy may execute an agreement with any of the following persons for such project and may give contributions or subsidies to

the person, fully or partially, for the expenses incurred in the execution of the project; <Amended on May 24, 2011; Mar. 23, 2013; Dec. 23, 2014>

1. A person who is primarily responsible for the execution of a project to develop industrial technology (hereinafter referred to as "main research institute");
2. A person who participates in a project executed by the main research institute to develop industrial technology as necessary to effectively execute the project (hereinafter referred to as "participating institution").

(3) If a main research institute deems it necessary for the effective execution of a project to develop industrial technology, it may execute an agreement with the institutions, organizations, or businesses referred to in the former part of paragraph (2) to outsource the performance of part of the project executed by the main research institute to develop industrial technology to them. <Amended on Dec. 23, 2014>

(4) If the Minister of Trade, Industry and Energy deems it necessary for the efficient implementation of a project to develop industrial technology, he/she may authorize the Korea Planning & Evaluation Institute of Industrial Technology under Article 39 or any other institution or organization specified by Presidential Decree to perform duties relating to the planning, management, and evaluation of tasks in projects to develop industrial technology (hereafter referred to as "planning, etc." in this Article) on his/her behalf. In such cases, the Minister of Trade, Industry and Energy may provide contributions or subsidies to the person who performs the planning, etc. on his/her behalf (hereinafter referred to as "solely responsible agency") so as to fully or partially subsidize the expenses incurred in such planning, etc. <Amended on May 24, 2011; Mar. 23, 2013; Jun. 20, 2023>

(5) With regard to the execution of projects to develop industrial technology under paragraph (2) and the payment, use, and management of contributions or subsidies under paragraphs (2) and (4), the following matters shall be prescribed by Presidential Decree: <Amended on May 24, 2011>

1. The conclusion, amendment, and rescission of an agreement on a project to develop industrial technology;
2. The scope of affairs to be performed by an agency dedicated to the planning, etc. under paragraph (4);
3. Other matters necessary for the management of projects for the development of industrial technology and the management of contributions or subsidies.

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Article 11-2 (Restrictions on Participation in National Research and Development Projects)

(1) If an institution, an organization, or a business that participates in a project to develop industrial technology under Article 11 or an executive researcher, a researcher, an officer, or an employee of such institution, organization, or business falls under any of the following subparagraphs, the Minister of Trade, Industry and Energy may place restrictions, for not more than five years (ten years for a person whose participation in other national research and development projects is limited due to the same cause of participation limitations), on the participation of such institution, organization, or business in the projects

to develop industrial technology under Article 11 of the Framework Act on Science and Technology and may fully or partially recover contributions that have already been made to the project: Provided, That in the cases of subparagraph 1 where it is deemed that an institution, an organization, or a business participating in a project performed the research and development project faithfully, the period during which restrictions on participation in research and development shall be placed and project cost recovered may be reduced: *<Amended on May 24, 2011; Mar. 23, 2013; Mar. 14, 2017>*

1. If a project is declared unsuccessful or a project to be discontinued as a result of the evaluation by the Minister of Trade, Industry and Energy because of extremely poor outcomes of research and development;
 2. If an institution, an organization, or a business participating in a project or an executive researcher, a researcher, officer, or employee of such institution, organization, or business divulges or leaks details of research without following proper procedures;
 3. If an institution, an organization, or a business participating in a project abandons a task to be performed for research and development, without good cause;
 4. If an institution, an organization, or a business participating in a project fails to pay royalties under Article 12 or fails to pay an amount of project recoupment, without good cause;
 5. If an institution, an organization, or a business participating in a project uses contributions for any purpose other than funding research and development;
 6. If an institution, an organization, or a business participating in a project or an executive researcher, researcher, officer, or employee of such institution, organization, or business commits forgery, falsification, plagiarism, or any other fraud using data or outcomes of research and development;
 - 6-2. If an institution, an organization, or a business participating in a project or an executive researcher, researcher, officer, or employee of such institution, organization, or business files an application for registration of any intellectual property right, which is a result of research and development, or registers such intellectual property right, in the name of the executive researcher, researcher, officer, or employee, without just cause;
 - 6-3. If an institution, an organization, or a business participating in a project executes the project by fraud or other improper means;
 7. Other cases specified by Presidential Decree as serious breaches of the agreement under Article 11 (2) or (3).
- (2) The criteria and procedures for evaluating research outcomes under paragraph (1), the period during which restrictions on participation in research and development shall be placed, the standards for and scope of recovering the amount of project recoupment and procedures for filing objections to such restrictions, criteria for exemption or reduction under the proviso to the same paragraph, and other necessary matters shall be prescribed by Presidential Decree. *<Amended on Mar. 14, 2017>*
- (3) When the Minister of Trade, Industry and Energy places restrictions on the participation in national research and development projects under paragraph (1), he/she shall notify the heads of other relevant

central administrative agencies of such restrictions. <Amended on Mar. 23, 2013>

(4) When the Minister of Trade, Industry and Energy places restrictions on participation or takes measures to recover contributions under paragraph (1), he/she shall notify the head of the agency where the executive researcher, research, officer, or employee concerned works of the details of the restrictions on participation or the recovery of contributions and the facts relevant thereto. <Added on May 24, 2011; Mar. 23, 2013>

(5) If a person against whom the disposition requiring him/her to return an amount of project recoupment was imposed under paragraph (1) fails to pay back the amount by the deadline for payment, the Minister of Trade, Industry and Energy may call for payment for a specified period and may collect the amount in the same manner as delinquent national taxes, if the person fails to pay the amount of recoupment within the specified period. <Added on Mar. 14, 2016>

(6) The Minister of Trade, Industry and Energy may outsource the collection of an amount of recoupment or duties concerning dispositions on default, provided for in paragraphs (1) and (5) to the Commissioner of the National Tax Service. <Added on Mar. 14, 2017>

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Article 11-3 (Imposition and Collection of Penalty Charges)

(1) If an institution, an organization, or a business participating in a project or an executive researcher, researcher, officer, or employee of such institution, organization, or business (hereafter referred to as "offender" in this Article) commits an offence falling under Article 11-2 (1) 5, the Minister of Trade, Industry and Energy shall impose a penalty charge not exceeding five times the amount used for any purpose other than research upon the offender: Provided, That no penalty charge may be imposed in any of the following cases:

1. Where it was inevitable to use a contribution for any purpose other than research, but the contribution used for such purpose has been repaid without delay;
 2. Other cases where marginal utility is found to impose a penalty charge against an offense prescribed by Presidential Decree.
- (2) If the Minister of Trade, Industry and Energy deems it necessary with regard to the imposition and collection of penalty charges under paragraph (1), he/she may summon the offender to make an appearance and statement, request the offender to submit documents, or conduct on-site inspections of actual conditions. Upon receipt of a summon or request in such cases, the offender shall comply therewith, except in extenuating circumstances.
- (3) If a person upon whom a penalty charge has been imposed under paragraph (1) fails to pay the penalty charge by the deadline for payment, the Minister of Trade, Industry and Energy shall collect the penalty charge in a manner prescribed by Presidential Decree.
- (4) If a person upon whom a penalty charge has been imposed under paragraph (1) fails to pay the penalty charge by the deadline for payment, the Minister of Trade, Industry and Energy shall issue a reminder notice to pay it within a specified period but shall collect the penalty charge and the surcharge under paragraph (3) in the same manner as delinquent national taxes are collected, if the person fails to pay the penalty charge and the additional charge within the specified period.
- (5) The Minister of Trade, Industry and Energy may outsource the collection of penalty charges and surcharges, and taking dispositions on default under paragraphs (1), (3), and (4) to the Commissioner of the National Tax Service.
- (6) The amount of a penalty charge to be imposed against an offense according to the type and severity of each offense and other necessary matters shall be prescribed by Presidential Decree.

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Article 12 (Collection and Use of Royalties)

(1) If a project to develop industrial technology is completed, the Minister of Trade, Industry and Energy may collect royalties from any person who intends to use, transfer, lend, or export the outcomes of the project. <Amended on Mar. 23, 2013>

(2) Royalties collected under paragraph (1) shall accrue to the account for innovation of industrial technology under Article 37-4 (1). <Amended on Dec. 23, 2014>

(3) Matters necessary for the collection and management of royalties under paragraph (1) shall be prescribed by Presidential Decree. <Amended on Dec. 23, 2014>

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Article 13 (Ownership over, and Promoting Use of, Outcomes of Technological Innovation)

(1) The ownership over outcomes of technological innovation from a project to develop industrial technology shall vest in the main research institute as stipulated in the agreement entered into under Article 11 (2): Provided, That the foregoing shall not apply to the equipment and facilities procured by participating institutions or to the cases where it is inappropriate to recognize the ownership of the main research institute on any other ground prescribed by Presidential Decree. <Amended on Dec. 23, 2014>

(2) If the main research institute pursues profits, such as a business but fails to pay a license fee under Article 12 within the period specified by Presidential Decree, without just cause, the dedicated agency shall take custody of important outcomes of technological innovation specified by Presidential Decree,

such as intellectual property rights and equipment for research.

(3) With regard to the outcomes of technological innovation in the custody of the dedicated agency under paragraph (2) or on any of the grounds specified by Presidential Decree, the Minister of Trade, Industry and Energy shall formulate and implement appropriate policies through the following institutions to allow persons who intend to commercialize the outcomes of technological innovation to utilize such outcomes. In such cases, the Minister of Trade, Industry and Energy may preferentially permit the participants in the relevant project to develop industrial technology, to utilize the outcomes of technological innovation:

<Amended on Mar. 23, 2013>

1. The dedicated agency;
2. The Korea Institute for Advancement of Technology under Article 38;
3. Other institutions specified by the Minister of Trade, Industry and Energy from among institutions related to the transfer and commercialization of technology.

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Article 13-2 (Special Provisions concerning Management of Intellectual Property Rights of Government)

(1) Notwithstanding the State Property Act, the head of a central administrative agency may transfer the intellectual property rights he/she deems particularly necessary for industrial development, out of the intellectual property rights the ownership of which have vested in the Government as the outcomes of a research and development project under an agreement with the Government, to the persons who performed the research and development project or to the persons who invested jointly with the Government in the research and development project or may fully or partially exempt licensees from royalties, subject to prior consultation with the Minister of Strategy and Finance thereon.

(2) If the head of a central administrative agency deems it particularly necessary, he/she may transfer equipment and facilities for research, prototypes, etc., which have been used for a research and

development project and the ownership of which has vested in the Government, without consideration to the persons who have performed the research and development project under an agreement entered into with the Government or to the persons who have invested jointly with the Government in the research and development project, subject to prior consultation with the Administrator of the Public Procurement Service, notwithstanding the Commodity Management Act.

(3) The conditions of, and the procedure for, application of the special provisions of paragraphs (1) and (2) concerning the management of intellectual property rights, etc. and other necessary matters shall be prescribed by Presidential Decree.

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Article 14 (Protection of Outcomes of Technological Innovation)

(1) The Government shall formulate and implement policies to prevent technologies acquired as outcomes of technological innovation from divulging and the protection of such technologies, as provided by relevant Acts.

(2) When the Minister of Trade, Industry and Energy implements projects to innovate industrial technology, he/she may separately determine the cost for preventing technology divulging and protecting technologies. <Amended on Mar. 23, 2013>

(3) The Minister of Trade, Industry and Energy may preferentially assist technological innovators who have an excellent security system for technologies to allow them to participate in projects for innovation of industrial technology. <Amended on Mar. 23, 2013>

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Article 15 (Activities to Promote Commercialization of Developed Technologies)

(1) The Government shall formulate policies necessary for assisting and fostering persons who commercialize developed technologies or persons whose main business is to invest in the commercialization of developed technologies.

(2) In order to promote the commercialization of developed technologies, the Minister of Trade, Industry and Energy may implement programs to engage in the following activities (hereinafter referred to as "programs to promote commercialization of developed technologies"), as prescribed by Presidential Decree: <Amended on May 24, 2011; Mar. 23, 2013>

1. The commercialization and fostering of new technologies;
2. The fostering of specialized organizations and the training of professional human resources for facilitating commercialization;
3. The promotion of sales of products manufactured as a result of commercialization;
4. Subsequent development of projects for the development of industrial technology and the facilitation of technology financing;
5. The facilitation of loans secured by technologies based on the results of evaluation of technological capabilities;
6. Other programs designed to promote commercialization of developed technologies prescribed by Presidential Decree.

(3) The Minister of Trade, Industry and Energy may designate and operate an institution dedicated to the evaluation of technological capabilities under paragraph (2) 5, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(4) Articles 11 (excluding paragraph (1)), 11-2, and 11-3 shall apply mutatis mutandis to programs to promote commercialization of developed technologies. In such cases, "projects to develop industrial technology" shall be construed as "projects to promote commercialization of developed technologies." <Added on May 24, 2011; May 20, 2014>

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Article 15-2 (Certification of New Excellent Technologies and Confirmation of Products Made Using New Excellent Technologies)

- (1) The Minister of Trade, Industry and Energy may certify new technology domestically developed for the first time or an excellent technology developed by innovatively improving or ameliorating existing technologies as a new excellent technology. <Amended on Mar. 23, 2013>
- (2) The certification of a new excellent technology under paragraph (1) shall be effective only for a specified period, but the period may be extended, if necessary.
- (3) The Minister of Trade, Industry and Energy may confirm a product to which a new excellent technology certified under paragraph (1) (hereinafter referred to as "certified new technology") is applied in an empirically practicable manner (hereinafter referred to as "product made using new excellent technology"). <Amended on Mar. 23, 2013>
- (4) A person who intends to obtain the certification of a new excellent technology, the extension of the effective period of certification or the confirmation of a product made using new excellent technology under the provisions of paragraphs (1) through (3) shall file an application therefor with the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>
- (5) The standards and procedures for certification and confirmation under the provisions of paragraphs (1) through (4), the subject matters and effective periods of such certification and confirmation, and other necessary matters shall be prescribed by Presidential Decree.

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Article 16 (Certification of New Excellent Products)

(1) The Minister of Trade, Industry and Energy may certify products with excellent performance and quality and that have substantial down-stream effects on the economic and technological aspects as new excellent products, from among the products fully developed for practical use by applying for the first time, technology domestically developed or an excellent technology developed by improving or ameliorating an existing technology in an innovative manner, as core technology. <Amended on Mar. 23, 2013>

(2) The certification of a new excellent product under paragraph (1) shall be effective only for a specified period, which may be extended, if necessary.

(3) A person who intends to obtain certification of a new excellent product or a extension of the effective period of certification under the provisions of paragraphs (1) and (2) shall file an application therefor with the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(4) The standards and procedures for certification under the provisions of paragraphs (1) through (3), the subject matters and effective periods of such certification, and other necessary matters, shall be prescribed by Presidential Decree.

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Article 16-2 (Objection to Denial of Certification)

(1) If a person has an objection to a decision made with respect to certification of a new excellent technology or the confirmation of a product made using new excellent technology under Article 15-2 or certification of a new excellent product or the extension of the effective period of certification under Article 16, the person may file an objection with the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(2) Upon receipt of an objection filed under paragraph (1), the Minister of Trade, Industry and Energy shall notify the person who filed the objection, within the period specified by Ministerial Decree of Trade, Industry and Energy, of the disposition made by him/her therefor. <Amended on Mar. 23, 2013>

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Article 16-3 (Certification Mark)

(1) A mark with the words "certified new technology" or "certified new product" may be placed on products made using new excellent technology confirmed under Article 15-2 (3) or products certified as new excellent products under Article 16 (1) (hereinafter referred to as "certified new products") or on packages, advertising materials, etc. for such products, as prescribed by Ministerial Decree of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

(2) No mark under paragraph (1) or similar shall not be placed on any technology or product, other than certified new technologies and certified new products, or on packages, advertising materials, etc. for any product other than certified new products, and no technology or product, other than certified new technologies and certified new products, shall be advertised as a certified new technology or a certified new product (including advertising via Internet or by any electronic means; the same shall apply hereinafter).

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Article 16-4 (Follow-up Management of Certification)

(1) The Minister of Trade, Industry and Energy may examine a certified new technology or a certified new product to ensure the technology or product meets the standards for the certification of new excellent technologies or new excellent products. <Amended on Mar. 23, 2013>

(2) Matters necessary for the procedure and method for examinations under paragraph (1) shall be prescribed by Ministerial Decree of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

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Article 16-5 (Revocation of Certification)

(1) In any of the following cases, the Minister of Trade, Industry and Energy may revoke certification of a certified new technology or of a certified new product, as prescribed by Ministerial Decree of Trade, Industry and Energy: Provided, That the certification shall be revoked in cases falling under subparagraph 1: <Amended on Mar. 23, 2013>

1. Where such certification is obtained by fraud or other improper means;
2. Where a serious defect is found in technology or in the quality or performance of the product;
3. Where the technology or product is found to infringe intellectual property rights or a right of another person.

(2) Matters necessary for the procedure, method, etc. for revocation under paragraph (1) shall be prescribed by Presidential Decree.

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Article 17 (Assistance for Certified New Technologies and Certified New Products)

(1) The Government shall formulate policies for assisting persons who have obtained the certification of a new excellent technology under Article 15-2 (1) or certification of a new excellent product under Article 16 (1), including financial assistance in creating new demand and preferential purchase of certified new products and products made using new excellent technology. <Added on May 24, 2011>

(2) If certified new products constitute certain items on the list of commodities that a public institution specified by Presidential Decree (hereinafter referred to as "public institution") intends to purchase, the ratio of certified new products purchased by the public institution to the total amount of the items purchased thereby shall not be lower than the ratio specified by Presidential Decree: Provided, That the foregoing shall not apply where the Minister of Trade, Industry and Energy finds it impossible or impracticable to purchase certified new products. <Amended on May 24, 2011; Jan. 26, 2012; Mar. 23, 2013>

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Article 17-2 (Appointment of Managers in Charge of Public Purchase)

(1) In order to promote the purchase of certified new products and assist public institutions in purchasing certified new products efficiently, the Minister of Trade, Industry and Energy shall appoint persons to be in charge of affairs related to certified new products and who are recommended by the head of each public institution as managers in charge of public purchase. <Amended on Mar. 23, 2013>

(2) Persons appointed as managers to be in charge of public purchase under paragraph (1) shall submit data necessary to review appropriateness of purchases of certified new products, such as each public institution's plan for the purchase of certified new products and the results of purchase, to the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013>

(3) The Minister of Trade, Industry and Energy shall review data submitted under paragraph (2) and may recommend a public institution to take measures for improvement, if he/she finds that the ratio of purchase of certified new products does not exceed the ratio specified under Article 17 (2) or the plan for purchase of certified new products or if the results of purchase are not appropriate. <Amended on Mar. 23, 2013>

(4) Upon receipt of a recommendation made under paragraph (3), the head of a public institution shall comply with the recommendation, unless there is a compelling reason not to do so referred to in the proviso to Article 17 (2), and shall notify the Minister of Trade, Industry and Energy of the results of the measures taken by him/her within one month from the date on which he/she is notified of the recommendation. <Amended on Mar. 23, 2013>

(5) The Minister of Trade, Industry and Energy shall collect and publish results regarding whether the recommendation is followed under paragraph (3). <Added on May 20, 2014>

(6) The Minister of Trade, Industry and Energy may investigate circumstances facing a public institution to which he/she has made recommendations for improvement under paragraph (3) and may provide assistance to such public institution as necessary for promoting purchases. <Amended on Mar. 23, 2013; May 20, 2014>

(7) The Minister of Trade, Industry and Energy may evaluate each public institution's results of purchases of certified new products and award the institutions that have made excellent performance in public purchase and the persons who have provided distinguished service in public purchasing or take other necessary measures. <Added on May 20, 2014>

(8) A manager in charge of public purchases, who has purchased certified new products under Article 17 (2), shall not be liable for any loss incurred by purchasing certified new products, unless it is proved that the loss results from intentional conduct or gross negligence on the part of the manager in charge of public purchases. <Amended on May 20, 2014>

(9) Matters concerning duties, and requirements for qualification of, managers in charge of public purchase, the submission of a purchase plan, the results of purchase, etc., the review of appropriateness of purchase and measures to be taken, and the publication of whether recommendations are followed, and other matters necessary to promote purchasing certified new products, shall be prescribed by Presidential Decree. <Amended on May 20, 2014>

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Article 18 (Services for Guarantee of Quality of Certified New Products)

- (1) Any of the following persons may provide services for the indemnification of injuries and losses incurred to purchasers by certified new products (hereinafter referred to as "quality guarantee services"):
<Amended on Dec. 8, 2020>
- 1. A capital goods mutual aid association, as defined under Article 40 (1) 1 of the Industrial Development Act;
 - 2. An insurance company, as defined under subparagraph 6 of Article 2 of the Insurance Business Act.
- (2) The Government may provide funds necessary for providing quality guarantee services, within budgetary limits.
- (3) Matters concerning the extent of indemnification by quality guarantee services and the operation of such services and other necessary matters, shall be prescribed by Presidential Decree.

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CHAPTER IV DEVELOPMENT OF INFRASTRUCTURE AND
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Article 19 (Projects for Development of Infrastructure for Industrial Technology)

(1) The Minister of Trade, Industry and Energy may implement the following projects for the development of infrastructure and the environment for innovation of industrial technology (hereinafter referred to as "projects for the development of infrastructure for industrial technology"): <Amended on May 24, 2011; Mar. 23, 2013>

1. Utilization and supply of human resources in industrial technology;
2. Expansion of equipment, facilities, etc. for research on industrial technology and facilitation of use of such equipment, facilities. etc.;
3. Promotion of clustering elements of innovation of industrial technology, such as equipment, facilities, human resources, and information for research;
4. Promotion of the creation, management, and utilization of various kinds of information on technology, industry, etc., necessary for innovation of industrial technology;
5. Establishment of a foundation for the standardization of industrial technology and the development of advanced designs and brands;
6. Expansion of the base for industrial technology, including the establishment and operation of cultural places for industrial technology;
7. Other projects for the development of infrastructure for innovation of industrial technology prescribed by Presidential Decree.

(2) The Minister of Trade, Industry and Energy may authorize a research institute, a university, or any other institution or organization specified by Presidential Decree to execute a project to develop

infrastructure for industrial technology, enter into an agreement with the person to be mainly in charge of the execution of a project to develop of infrastructure for industrial technology (hereinafter referred to as "major institution") on the project to develop infrastructure for industrial technology and may contribute to or subsidize the major institution so as to fully or partially subsidize expenses incurred in the execution of the project. <Amended on May 24, 2011; Mar. 23, 2013>

(3) Articles 11 (excluding paragraph (1)), 11-2, and 11-3 shall apply mutatis mutandis to projects for the development of infrastructure for industrial technology. In such cases, "main research institute" shall be construed as "major institution," and "projects for the development of industrial technology" as "projects for the development of infrastructure for industrial technology", respectively. <Amended on May 24, 2011; May 20, 2014>

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Article 20 (Training of Human Resources in Industrial Technology)

(1) The Minister of Education, Science and Technology may formulate and implement policies addressing the following matters in order to train human resources in industrial technology: <Amended on May 24, 2011; Mar. 23, 2013; Mar. 14, 2017>

1. Establishment of a system for training human resources in industrial technology to meet corporate demands;
2. Training of excellent human resources by encouraging cooperation between businesses and schools;
3. Assistance in reforming engineering education with a focus on academy-industry partnership;
4. Training of human resources in the promising fields of industrial technology for the future;

5. Training of human resources to lead the way to balanced development of regions;
 6. Re-training of technical experts;
 7. Assistance to small- and medium-sized enterprises and middle-standing enterprises for the smooth supply of technical experts;
 8. Training of women and disabled persons as technical experts and facilitation of their entry into the world of industrial technology;
 9. Other matters specified by Presidential Decree for training human resources in industrial technology.
- (2) In order to implement policies addressing the matters specified in paragraph (1), the Minister of Education may provide contributions or subsidies to research institutes, universities, and other institutions and organizations specified by Presidential Decree so as to fully or partially subsidize expenses incurred to them in the execution of projects. *<Amended on Mar. 23, 2013>*

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Article 20-2 (Utilization and Supply of Human Resources in Industrial Technology)

The Minister of Trade, Industry and Energy may formulate and implement policies addressing the following matters for the utilization of human resources in industrial technology and the supply of human resources in industrial technology to businesses: *<Amended on Mar. 23, 2013; Jul. 26, 2017; Jan. 8, 2019>*

1. Assistance in the utilization of human resources for industrial technology;
2. Assistance to the consultative body for the development of human resources for each industrial sector;
3. Re-training of technical experts in industrial sites;
4. Assistance to businesses in utilizing local human resources and women as technical experts;
5. Surveys and analyses of actual conditions of the utilization of human resources for industrial technology;
6. Other matters specified by Presidential Decree for the utilization of human resources for industrial technology and the supply of human resources in industrial technology to businesses.

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Article 20-3 (Assistance in Training Field Experts for Innovation of Industrial Technology)

In order to train field experts necessary for the innovation of industrial technology, the Minister of Trade, Industry and Energy may make contributions to the schools specified by Presidential Decree among schools defined under Article 2 of the Higher Education Act, for schools' operating funds.

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Article 21 (Expansion of Equipment and Facilities for Research and Promotion of Utilization of such Equipment and Facilities)

(1) The Minister of Trade, Industry and Energy shall assist major institutions in expanding infrastructure for research, such as equipment and facilities for research, and equipment and facilities for testing and evaluation (hereinafter referred to as "research equipment, etc."), or shall formulate other necessary schemes for such purpose. <Amended on Mar. 23, 2013>

(2) An institution specified by Presidential Decree (hereafter referred to as "major institution" in this Article), from among major institutions and main research institutes to which research equipment, etc., has been provided for assistance under paragraph (1), shall formulate and implement a plan to promote the utilization of research equipment, etc. to allow other technological innovators to use the research equipment, etc., free of charge or on condition that actual costs shall be calculated and paid according to

the standards publicly notified by the Minister of Trade, Industry and Energy, taking into account the costs, etc. incurred in the maintenance, repair, and operation of the research equipment, etc. In such cases, the Minister of Trade, Industry and Energy may fully or partially subsidize major institutions, etc. for the expenses incurred in promoting the utilization of research equipment, etc. <Amended on Dec. 23, 2014>

(3) Each major institution shall submit an annual plan to promote utilization of research equipment, etc. and the results of utilization thereof to the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(4) In order to effectively manage research equipment, etc. held by major institutions and to promote the utilization of such research equipment, the Minister of Trade, Industry and Energy may designate an institution specializing in the management of research equipment to carry out related affairs in accordance with the standards prescribed by Presidential Decree. In such cases, the Minister of Trade, Industry and Energy may fully or partially subsidize the expenses incurred by the specialized institution in managing research equipment, etc. and facilitating utilization of such research equipment, etc. <Amended on Mar. 23, 2013>

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Article 22 (Assistance in Clustering Elements of Innovation of Industrial Technology)

To enable technological innovators to relocate geographically closer to one another or to occupy the same building and to promote joint development and commercialization of industrial technology, the Government may assist them in building up infrastructure for exchanging human resources, increasing and sharing research equipment, etc. and sharing information.

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Article 23 (Facilitation of Creation, Management, and Utilization of Information on Innovation of Industrial Technology)

(1) In order to facilitate innovation of industrial technology, the Minister of Trade, Industry and Energy may formulate and implement policies on the establishment of inter-related databases and information systems in association with the policies under Article 26 of the Framework Act on Science and Technology so as to ensure the effective creation, management, and utilization of information referred to in the following subparagraphs: <Amended on May 24, 2011; Mar. 23, 2013>

1. Information on industrial technology, such as information on tasks for the development of technologies, information on technology transfer, information on patents, information on designs, information on standards, and domestic and international trends in technology;
2. Information on the current status of supply of and demand for human resources in industrial technology for each industrial sector and in each region and on excellent domestic and foreign human resources in industrial technology;
3. Information on research equipment, etc. in industrial technology;
4. Information on domestic and overseas industries, trade, etc. on which the innovation of industrial technology shall be based;
5. Information on other matters necessary for innovation of industrial technology prescribed by Ministerial Decree of Trade, Industry and Energy.

(2) If the Minister of Trade, Industry and Energy deems it necessary for the effective creation, management, utilization, etc. of information under paragraph (1), he/she may designate a specialized institution for each field according to the standards prescribed by Presidential Decree and subsidize the institution for relevant projects. <Amended on Mar. 23, 2013>

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Article 24 (Standardization of Industrial Technology)

1. Development, distribution, and diffusion of standards for industrial technology;
2. Development, distribution, and diffusion of technologies for evaluating conformity with the standardization of industrial technology;
3. International cooperation in the standardization of industrial technology;
4. Other matters specified by Presidential Decree for the standardization of industrial technology.

Article 25 (Development of Advanced Designs and Brands)

1. Subsidizing the purchase of equipment, etc. for research on designs and brands;
2. Training of human resources specializing in design and branding;
3. Support for informatization in the fields of design and branding;
4. Other matters specified by Presidential Decree concerning the development of the fields of design and branding.

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Article 26 (Expansion of Industrial Technology Base)

In order to increase people's level of understanding and awareness of industrial technology and to strengthen social consensus on the importance of industrial technology, the Minister of Trade, Industry and Energy may formulate and implement policies addressing the following matters for the expansion of the industrial technology base: <Amended on May 24, 2011; Mar. 23, 2013>

1. Boosting the morale of human resources in industrial technology and improvement of social attitudes toward human resources in industrial technology;
2. Enhancement of the level of understanding and consensus about industrial technology throughout the society;
- 2-2. Creating and operating cultural space for industrial technology to raise public awareness of the process of historical and cultural changes in industrial technology and the importance thereof and to provide them with an opportunity to get a first-hand experience;
3. Other matters specified by Presidential Decree for the expansion of the industrial technology base.

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Article 26-2 (Creation of Foundation for Convergence of Industrial Technology with other Fields)

In order to promote the creation of new markets through the convergence of industrial technology with other fields, such as design, humanities, and social sciences, the Minister of Trade, Industry and Energy may formulate and implement measures necessary for the establishment of a foundation for the convergence of industrial technology with other fields, such as design, humanities, and social sciences.

CHAPTER V INTERNATIONAL COOPERATION IN INDUSTRIAL TECHNOLOGY

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Article 27 (Programs for International Cooperation in Industrial Technology)

(1) In order to promote cooperation in technology between and among the Government, businesses, universities, research institutes, and organizations of the Republic of Korea and international organizations or governments, businesses, universities, research institutes, and organizations in foreign countries, the Minister of Trade, Industry and Energy may implement the following programs (hereinafter referred to as "programs for international cooperation in industrial technology"): <Amended on Mar. 23, 2013>

1. Surveys to enhance international technological cooperation;
2. International exchanges of technical experts and information about technology;
3. Establishment and operation of an international market for technology;
4. Promoting utilization of domestic and foreign technologies or of introduction of foreign technologies;
5. Establishment of a foundation to promote international technological cooperation and assistance to such foundation;
6. Expansion of business territories of research institutes attached to domestic businesses to foreign countries or the attraction of foreign research institutes to the Republic of Korea;
7. Other programs necessary to promote international technological cooperation prescribed by Presidential Decree.

(2) Articles 11 (excluding paragraph (1)), 11 (2), and 11-3 shall apply mutatis mutandis to programs for international cooperation in industrial technology. In such cases, "projects for the development of industrial technology" shall be construed as "programs for international cooperation in technology." <Amended on May 24, 2011; May 20, 2014>

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Article 28 (Promotion of Inter-Korean Cooperation in Industrial Technology)

The Minister of Trade, Industry and Energy may formulate policies to promote inter-Korean cooperation and exchange in industrial technology, subject to consultation with the heads of related central administrative agencies, and may implement the following projects: <Amended on Mar. 23, 2013>

1. Joint development of industrial technology by the two Koreas;
2. Education of human resources in industrial technology, working in special economic zones in North Korea, such as the Gaeseong Industrial Complex;
3. Establishment of a foundation for cooperation in the standardization of inter-Korean industrial technologies, etc.;
4. Other projects specified by Presidential Decree to promote inter-Korean cooperation in industrial technology.

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Article 29 (Promotion of International Joint Research)

(1) The Minister of Trade, Industry and Energy may implement projects he/she deems necessary, for innovation of industrial technology, by holding international public competitions or by providing

assistance in tasks of international joint research projects. <Amended on Mar. 23, 2013>

(2) In order to promote international joint research in the fields of industrial technology, the Minister of Trade, Industry and Energy may implement the following projects: <Amended on Mar. 23, 2013>

1. Provide funding, human resources, information, etc. to domestic technological innovators to encourage them to participate in international joint research projects implemented by foreign governments, foreign regional communities, international organizations, etc.;
2. Formation of international joint research project teams between and among states;
3. Creation and operation of funds for international joint research;
4. Other projects that the Minister of Trade, Industry and Energy deems necessary to promote international joint research.

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Article 30 (Promotion of Utilization of Excellent Foreign Technical Experts)

The Minister of Trade, Industry and Energy may formulate and implement policies addressing the following matters, subject to consultation with the heads of related central administrative agencies, to allow domestic technological innovators to invite and utilize excellent foreign technical experts and vigorously conduct activities for innovation of industrial technology: <Amended on Mar. 23, 2013>

1. Funding to help domestic technological innovators attract excellent foreign technical experts;
2. According convenience to excellent foreign technical experts in undergoing immigration process;
3. Other matters specified by Presidential Decree to promote of invitation and utilization of excellent foreign technical experts.

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Article 31 (Promotion of Attraction of Excellent Foreign Research and Development Centers)

The Minister of Trade, Industry and Energy may provide the following assistance in order to attract research facilities, as defined under Article 14-2 (1) 4 of the Foreign Investment Promotion Act, or excellent foreign research and development centers determined by the Minister of Trade, Industry and Energy (hereinafter referred to as "foreign research centers"), taking into consideration the effect such action can have on innovation of domestic industrial technology: <Amended on Jan. 30, 2009; Mar. 23, 2013>

1. Participation of foreign research centers with facilities established in the Republic of Korea in projects for innovation of industrial technology;
2. Education, training, and employment of human resources engaged in research by foreign research centers with facilities established in the Republic of Korea;
3. Assistance in the location of sites for foreign research centers;
4. Other matters specified by Presidential Decree for the invitation of foreign research centers.

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CHAPTER VI PROMOTION OF CORPORATE ACTIVITIES FOR INNOVATION OF INDUSTRIAL TECHNOLOGY

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Article 32 (Promotion of Corporate Activities for Innovation of Industrial Technology)

- (1) The Government shall formulate policies necessary for effective technology financing, such as financial support by means of investment, loans, and guarantees to facilitate supply of funds necessary for corporate activities for innovation of industrial technology.
- (2) The Government may provide tax benefits for corporate technological innovation, as provided by the Restriction of Special Taxation Act, the Restriction of Special Local Taxation Act, and other tax-related Acts. <Amended on Mar. 31, 2010>

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Article 33 (Diagnosis and Coaching for Technology and Business Management)

(1) In order to promote corporate innovation and commercialization of technologies, the Minister of Trade, Industry and Energy may authorize institutions or businesses specializing in diagnosis or coaching services for technology or business management (hereinafter referred to as "consulting or coaching services for technology") to provide technology diagnosis or coaching services to the persons who seek diagnosis or coaching services for technology, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

(2) In order to efficiently provide technology diagnosis or coaching services to businesses, the Minister of Trade, Industry and Energy may foster and support institutions or businesses that provide technology diagnosis or coaching services in accordance with the standards prescribed by Presidential Decree (hereinafter referred to as "non-governmental coaching institutions"). <Amended on Mar. 23, 2013>

(3) Matters necessary for fostering and supporting non-governmental coaching institutions shall be prescribed by Presidential Decree.

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Article 34 (Assistance to Research Institutes Attached to Businesses)

The Minister of Trade, Industry and Energy may provide assistance to excellent research institutes annexed to a business as necessary for the development of technology or the installation of research equipment and facilities through projects for innovation of industrial technology. <Amended on Mar. 23, 2013>

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Article 34-2 (Assistance to Small- and Medium-sized Enterprises and Middle-standing Enterprises with Research Personnel)

(1) In order to assist small- and medium-sized enterprises, as defined under Article 2 (1) of the Framework Act on Small and Medium Enterprises, and middle-standing enterprises, as defined under subparagraph 1 of Article 2 of the Special Act on the Promotion of Growth and the Strengthening of Competitiveness of Middle-Standing Enterprises, in innovating industrial technology, the government-funded research institutes affiliated to the Korea Research Council for Industrial Science and Technology under Article 18 (1) 2 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes (hereafter referred to as "government-funded research institutes" in this Article) may implement programs for dispatching their research personnel to relevant businesses. <Amended on Jan. 21, 2014>

(2) The Government may provide funding for programs for assisting with research personnel carried out by government-funded research institutes.

(3) The government-funded research institutes to whom subsidies are granted under paragraph (1) shall maintain the ratio of personnel dispatched to small- and medium-sized enterprises and middle-standing enterprises to the companies' total workforce above the level determined by the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013; Mar. 14, 2017>

(4) The methods for supporting programs for assisting with research personnel under paragraph (1), the entities eligible for such support, procedures for, and the period of, such assistance, the methods and standards for providing funding for government-funded research institutes under paragraph (2), and other necessary matters shall be prescribed by Presidential Decree.

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Article 35 (Promotion of Joint Technological Innovation between Large Enterprises, Middle-standing Enterprises and Small- and Medium-sized Enterprises)

(1) In order to promote innovation of industrial technology of small- and medium-sized enterprises and middle-standing enterprises, the Minister of Trade, Industry and Energy may formulate and implement policies to promote joint technological innovation between large enterprises, middle-standing enterprises and small- and medium-sized enterprises (hereinafter referred to as "large, middle-standing, and small- and medium-sized enterprises" in this Article), including preferential assistance in joint projects executed jointly by large, middle-standing, and small- and medium-sized enterprises for the development of technology, coaching services provided for technology, transfer of technology, and increases in the number of technical experts dispatched by large enterprises and middle-standing enterprises to middle-standing enterprises and small- and medium-sized enterprises. <Amended on Mar. 23, 2013; Mar. 14, 2017>

(2) The Minister of Trade, Industry and Energy shall implement appropriate policies to prevent any damage to small- and medium-sized enterprises and middle-standing enterprises, such as technology drain, the brain drain of key research personnel, and infringement on intellectual property rights, in the course of joint technological innovation between large, middle-standing, and small- and medium-sized enterprises under paragraph (1). <Amended on Mar. 14, 2017>

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Article 36 (Activation of Intermediary Organizations for Technological Innovation)

(1) The Minister of Trade, Industry and Energy shall formulate appropriate policies to promote the establishment and activities of associations, organizations, research associations, etc. (hereinafter referred to as "intermediary organizations for technological innovation") that technological innovators voluntarily organize for innovation of industrial technology. <Amended on Mar. 23, 2013>

(2) The Minister of Trade, Industry and Energy may assist intermediary organizations for technological innovation as necessary in their activities specified by Ministerial Decree of Trade, Industry and Energy, including surveys and analyses of technologies. <Amended on Mar. 23, 2013>

(3) In order to ensure continuous activities of intermediary organizations for technological innovation, the Minister of Trade, Industry and Energy may build and maintain databases, etc. on intermediary organizations for technological innovation, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

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Article 37 (Assistance to Persons of Distinguished Service for Technological Innovation)

(1) The Minister of Trade, Industry and Energy shall formulate and implement appropriate policies to establish an effective compensation system for technological innovation activities of intermediary organizations for technological innovation. <Amended on Mar. 23, 2013>

(2) The Government may grant rewards to persons of distinguished service for technological innovation and businesses with outstanding performance in technological innovation.

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CHAPTER VI-II FUND FOR PROMOTION OF DEVELOPMENT AND COMMERCIALIZATION OF INDUSTRIAL TECHNOLOGY

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Article 37-2 (Establishment of Fund for Promotion of Development and Commercialization of Industrial Technology)

The Fund for the Promotion of Development and Commercialization of Industrial Technology (hereinafter referred to as the "Fund") shall be established in order to procure funds necessary for promoting the development and commercialization of industrial technology.

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Article 37-3 (Separation of Accounts for Fund)

The Fund shall be separately into the account for the innovation of industrial technology and the account for the rational use of specific substances.

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Article 37-4 (Sources of Fund in Account for Innovation of Industrial Technology and Purposes of Use of Fund)

(1) The sources of the Fund in the account for the innovation of industrial technology are as follows:

1. Royalties under Article 12;
2. Contributions from the Government;
3. Funds transferred from general accounts, special accounts, or other funds;
4. Gains on the management of the account for the innovation of industrial technology or other revenues;
5. Loans borrowed under Article 37-6;
6. Other funds specified by Presidential Decree.

(2) The fund in the account for the innovation of industrial technology shall be used for the following purposes: *<Amended on Jul. 26, 2017; Jan. 29, 2020; Jun. 13, 2023>*

1. Subsidization of pilot projects and joint projects for the development of industrial technology;
2. Subsidization for the commercialization of industrial technology;
3. Projects for the creation of a foundation for the development of industrial technology;
4. Programs for the creation and diffusion of culture of industrial technology;
5. Repayment of principal of and payment of interest on borrowed loans;
6. Transfer of funds (the amount shall be determined by the Minister of Trade, Industry and Energy in consultation with the Minister of Strategy and Finance and the Minister of Science and ICT), necessary for repaying principal of and payment of interest on the temporary deposits that the Science and Technology Promotion Fund under Article 22 of the Framework Act on Science and Technology (hereafter in this Article, referred to as the "Science and Technology Promotion Fund") has received from the Public Capital Management Fund under the Public Capital Management Fund Act (hereafter referred to as the "Public Capital Management Fund") in order to make contributions to projects for the development of industrial technology;
7. Transfer to the Public Capital Management Fund of the amount determined in consultation with the Minister of Trade, Industry and Energy and the Minister of Science and ICT, as equivalent to the amount of royalties collected from outcomes of the projects for the development of industrial technology, to which the Science and Technology Promotion Fund has contributed the deposits received from the Public Capital Management Fund;
8. Contributions to the Korea Scientists and Engineers Mutual-Aid Association established pursuant to the Korea Scientists and Engineers Mutual-Aid Association Act;
9. Expenses incurred in the creation, management, and operation of the account for the innovation of industrial technology (including expenses incurred in the outsourcing of administrative affairs under Article 37-7 (2));

(2) The fund in the account for the rational use of specific substances shall be used for the following purposes of use: *<Amended on Oct. 18, 2022>*

1. Projects for the restriction of emission of specific substances, as defined under subparagraph 1 of Article 2 of the Act on the Management of Specific Substances for the Protection of the Ozone Layer, and for the rational use of specific substances;
2. Projects for the development of alternative substances, as defined under subparagraph 2 of Article 2 of the Act on the Management of Specific Substances for the Protection of the Ozone Layer, and technologies for the use of alternative substances;
3. Programs for international cooperation for the enforcement of international agreements for the protection of the ozone layer;
4. Expenses incurred in the creation, management, operation of the account for the rational use of specific substances (including expenses incurred in the outsourcing of administrative affairs under Article 37-7 (2));
5. Other uses specified by Presidential Decree.

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Article 37-6 (Loans)

- (1) The Minister of Trade, Industry and Energy may lend funds for the Fund at the Fund's expense (limited to the account for the innovation of industrial technology) from other special accounts or funds.
- (2) When the Minister of Trade, Industry and Energy intends to lend funds under paragraph (1), he/she shall consult thereon with the Minister of Strategy and Finance.

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Article 37-7 (Management and Operation of Fund)

- (1) The Fund shall be managed and operated by the Minister of Trade, Industry and Energy.
- (2) The Minister of Trade, Industry and Energy may completely or partially outsource administrative affairs for the management and operation of the Fund to a corporation or organization that performs business affairs for the development of industrial technology, as prescribed by Presidential Decree.

(3) Except as provided in paragraphs (1) and (2), matters necessary for the management and operation of the Fund shall be prescribed by Presidential Decree.

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Article 37-8 (Disposal of Profits and Deficits of Fund)

- (1) All profits accruing as at the time of settlement of accounts of the Fund shall be accumulated as a reserve.
- (2) Deficits as at the time of settlement of accounts of the Fund shall be covered by the reserve under paragraph (1).

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CHAPTER VII INSTITUTIONS RELATED TO INNOVATION
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Article 38 (Establishment of Korea Institute for Advancement of Technology)

(1) The Korea Institute for Advancement of Technology (hereinafter referred to as the "Technology Advancement Institute") shall be established to promote programs for facilitating innovation of industrial technology in an effective and systematic manner and provide assistance in the development of policies on innovation of industrial technology.

(2) The Technology Advancement Institute shall be a legal entity and shall be duly formed when registration for its incorporation is made with the registry having jurisdiction over its principal place of business.

(3) The Technology Advancement Institute shall conduct the following business activities: <Amended on Mar. 23, 2013; Aug. 6, 2013>

1. Research on policies concerning innovation of industrial technology;
2. Mid- and long-term plans for innovation of industrial technology and analyses of the results of the implementation of such plans;
3. Projects for the development of infrastructure for industrial technology;
4. Promotion of the transfer and commercialization of industrial technology;
5. Training of human resources specializing in industrial technology;
6. Other business activities specified by Ministerial Decree of Trade, Industry and Energy for innovation of industrial technology.

(4) The Technology Advancement Institute may establish the affiliated organizations specified by Presidential Decree in order to assist the business activities under paragraph (3), and may establish regional offices in order to provide assistance in technological innovation in each region.

(5) In order to raise funds to cover expenses incurred in attaining the purposes under paragraph (1), the Technology Advancement Institute may engage in profit-making business as prescribed by Presidential Decree.

(6) The Government may contribute the expenses incurred in establishing and operating the Technology Advancement Institute within budgetary limits, and the heads of central administrative agencies and the heads of local governments may outsource the conduct of the business activities under paragraph (3) to the Technology Advancement Institute and may contribute all or some of the expenses incurred therein.

(7) Except as provided in this Act, the provisions concerning incorporated foundations in the Civil Act shall apply mutatis mutandis to the Technology Advancement Institute.

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Article 39 (Establishment of Korea Planning & Evaluation Institute of Industrial Technology)

(1) The Korea Planning & Evaluation Institute of Industrial Technology (hereinafter referred to as the "Planning & Evaluation Institute") shall be established to efficiently support the planning, management, evaluation, etc. of tasks of projects for innovation in industrial technology. <Amended on May. 24, 2011; Jun. 20, 2023>

(3) The Planning & Evaluation Institute shall conduct the following: <Amended on Mar. 23, 2013; Jun. 20, 2023>

1. Task-planning for, and the management and evaluation of, projects specified by Ministerial Decree of Trade, Industry and Energy for innovation of industrial technology;

2. Other business activities specified by Ministerial Decree of Trade, Industry and Energy for innovation of industrial technology.

(3) Article 38 (2) and (4) through (7) shall apply mutatis mutandis to the Planning & Evaluation Institute. In such cases, "Technology Advancement Institute" shall be construed as the "Planning & Evaluation Institute," and "business activities under paragraph (3)" as "business activities under paragraph (2)", respectively. <Amended on Jun. 20, 2023>

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Article 39-2 (Establishment of Korea Institute of Ceramic Engineering and Technology)

(1) The Korea Institute of Ceramic Engineering and Technology (hereinafter referred to as the "Institute of Ceramic Engineering and Technology") shall be established for the research, development, analysis, and evaluation of ceramic products, technical assistance in ceramics, and assistance to the ceramic industry with appropriate policies.

(2) The Institute of Ceramic Engineering and Technology shall conduct the following business activities:

1. Testing, analysis, evaluation, certification, appraisal, and standardization;
2. Establishment of infrastructure for technical assistance, training of human resources for provision of technical assistance, and coaching in technology;
3. Policy support activities such as assistance with various surveys, analyses, and plans for ceramics;
4. Technology cooperation and international cooperation among businesses, schools, and research institutes with regard to the business activities under subparagraphs 1 through 3;
5. Research and development projects for ceramics and matters related thereto;
6. Other business activities required to attain the objectives of the Institute of Ceramic and Engineering Technology.

(3) Article 38 (2) and (5) through (7) shall apply mutatis mutandis to the Institute of Ceramic Engineering and Technology. In such cases, "Technology Advancement Institute" shall be construed as "Institute of Ceramic Engineering and Technology," and "business activities under paragraph (3)" as "business activities under paragraph (2)."

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Article 40 (Establishment of National Academy of Engineering of Korea)

(1) In order to efficiently promote the development of engineering and industrial technology, and to discover and utilize excellent engineers and professionals in industrial technology, the National Academy of Engineering of Korea shall be established.

(2) The National Academy of Engineering of Korea under paragraph (1) (hereinafter referred to as the "National Academy of Engineering of Korea") shall conduct the following business activities: <Amended on Mar. 23, 2013>

1. Assist excellent engineers and professionals in industrial technology for the enhancement of their social status;
 2. Establish an organically interlinked system among businesses, universities, research institutes, and associations in each business sector;
 3. Domestic and international exchanges in the fields of engineering and technology;
 4. The business activities outsourced by the Minister of Trade, Industry and Energy as he/she deems necessary for innovation of industrial technology.
- (3) Article 38 (2) and (5) through (7) shall apply mutatis mutandis to the National Academy of Engineering of Korea. In such cases, "Technology Advancement Institute" shall be construed as "National Academy of Engineering of Korea," and "business activities under paragraph (3)" shall be construed as "business activities under paragraph (2)."

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Article 41 (Establishment of Korea Testing Laboratory)

- (1) In order to efficiently support the testing and evaluation of outcomes of innovation of technology and the development, etc. of technology therefor, the Korea Testing Laboratory (hereinafter referred to as the "Laboratory") shall be established.
- (2) The Laboratory shall conduct the following business activities: <Amended on May 20, 2014>
1. Assistance in the testing and evaluating the performance, safety, reliability, etc. of products and product quality certification;
 2. Examination of the safety of various kinds of facilities and technical supervision thereof;
 3. Inspection of calibration of measuring instruments and assistance with measuring technology;

4. Training of professionals for business activities falling under subparagraphs 1 through 3;

5. Other business activities required to attain the objectives of the Laboratory.

(3) Article 38 (2) and (5) through (7) shall apply mutatis mutandis to the Laboratory. In such cases, "Technology Advancement Institute" shall be construed as "Laboratory," and "business activities under paragraph (3)" as "business activities under paragraph (2)."

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Article 42 (Establishment of Research Institutes Specializing in Manufacturing Technology and Assistance to such Institutes)

(1) Small and medium-sized enterprises, middle-standing enterprises, or persons specified by Presidential Decree, other than small and medium-sized enterprises or middle-standing enterprises, may jointly establish a research institute for each business sector or for each trade (hereinafter referred to as "research institute specializing in manufacturing technology") with permission therefor from the Minister of Trade, Industry and Energy. <Amended on Mar. 23, 2013; Mar. 14, 2017>

(2) The criteria for permission to establish a research institute specializing in manufacturing technology are as follows:

1. At least three promoters shall participate in the promotion of the establishment;
2. The research institute shall be equipped with personnel, facilities, and capabilities sufficient for conducting the business activities falling under paragraph (3);
3. The research institute shall meet the requirements necessary to establish and operate research institutes specializing in manufacturing technology prescribed by Presidential Decree.

(3) A research institute specializing in manufacturing technology shall conduct the following business activities for manufacturing technology of small- and medium-sized enterprises and middle-standing enterprises: <Amended on Mar. 14, 2017>

1. Assistance in testing, evaluation, the development of equipment and technology for processing, counselling, and education;
2. Assistance with human resources, such as the dispatch of research personnel, and technology education;
3. Provision of equipment and facilities for testing and research and provision of information on special technology;
4. Acquisition and transfer of excellent foreign technologies through international cooperation in industrial technology;

5. Transfer of technologies acquired as a result of technological development projects and coaching in technology;

6. Other business activities specified by Presidential Decree for innovation of industrial technology.

(4) The Government may subsidize the business activities falling under paragraph (3) of research institutes specializing in manufacturing technology and may accord financial assistance and tax abatement to research institutes specializing in manufacturing technology, as provided by relevant Acts.

(5) Local governments may contribute or subsidize the expenses incurred in the business and operation of research institutes specializing in manufacturing technology within budgetary limits. *<Added on Jan. 6, 2016>*

(6) In order to promote research and development in the fields of manufacturing technology, government-funded science and technology research institutions under subparagraph 1 of Article 2 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes and research institutes specializing in manufacturing technology may assist one another with human resources, information, facilities, etc., as necessary. *<Amended on Jan. 6, 2016>*

(7) Article 38 (2), (5), and (7) shall apply mutatis mutandis to research institutes specializing in manufacturing technology. In such cases, "Technology Advancement Institute" shall be construed as "research institute specializing in manufacturing technology." *<Amended on Jan. 6, 2016>*

(8) In any of the following cases, the Minister of Trade, Industry and Energy may order a research institute specializing in manufacturing technology to take measures for rectification or may revoke the permission for the establishment of a research institute specializing in manufacturing technology: Provided, That the Minister of Trade, Industry and Energy shall revoke such permission in any case falling under subparagraphs 1 through 3: *<Added on May 20, 2014; Jan. 6, 2016>*

1. If a research institute specializing in manufacturing technology obtains the permission for establishment by fraud or other improper means;

2. If a research institute specializing in manufacturing technology breaches any condition of the permission for establishment;

3. If it becomes impracticable for a research institute specializing in manufacturing technology to attain its objectives;

4. If a research institute specializing in manufacturing technology engages in any business activity other than the business activities conforming to its objectives of business;

5. If a research institute specializing in manufacturing technology violates this Act, an order issued under this Act, or any provision of its articles of incorporation;

6. If a research institute specializing in manufacturing technology commits an act harmful to the public good;

7. If a research institute specializing in manufacturing technology fails to commence business operations for a purpose within six months from the date on which the permission for establishment is granted, or fails to produce any outcome for its business operations for not less than one year, without

good cause.

(9) When the Minister of Trade, Industry and Energy intends to revoke the permission to establish a research institute specializing in manufacturing technology under paragraph (8), he/she shall hold a hearing thereon. <Added on May 20, 2014; Jan. 6, 2016>

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Article 43 (Compliance with Code of Ethics by Institutions Related to Innovation of Industrial Technology)

(1) The institutions established under Articles 38, 39, 39-2, and 40 through 42 and institutions specified by Presidential Decree (hereinafter referred to as "institutions committed to ethical management") shall voluntarily formulate and enforce a code of ethics with which they shall comply to ensure transparency, confidentiality, etc. in the execution of projects for innovation of industrial technology.

(2) Institutions committed to ethical management shall make best endeavors to comply with the code of ethics that they have voluntarily established, and the Minister of Trade, Industry and Energy shall perform his/her duties of exercising control and supervision to ensure the firm establishment of ethical management, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

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CHAPTER VIII SUPPLEMENTARY PROVISIONS AND PENALTY PROVISIONS

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(3) The Minister of Trade, Industry and Energy or the Minister of Education may request persons to whom his/her authority for administrative affairs is delegated or entrusted under paragraph (1) to submit data about such administrative affairs, as necessary. <Amended on Mar. 23, 2013>

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Article 44-2 (Prohibition on Use of Similar Name)

Any person other than the Technology Advancement Institute, the KIET, the Institute of Ceramic Engineering and Technology, the National Academy of Engineering of Korea, or the Laboratory under this Act shall not use the Korea Institute for Advancement of Technology, the Korea Planning & Evaluation Institute of Industrial Technology, the Korea Institute of Ceramic Engineering and Technology, the National Academy of Engineering of Korea, the Korea Testing Laboratory, or any name similar thereto.

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Article 45 (Legal Fiction as Public Officials in Application of Penalty Provisions)

The executive officers and employees of the following institutions, corporations, and organizations shall be deemed public officials for the purposes of the provisions of Articles 129 through 132 of the Criminal Act to them: <Amended on Mar. 23, 2013; Jun. 20, 2023>

- 1. The Technology Advancement Institute, the Planning & Evaluation Institute, the Institute of Ceramic Engineering and Technology, and strategic planning task force;
- 2. The National Academy of Engineering of Korea, the Laboratory, and other corporations and organizations that perform the affairs outsourced by the Minister of Trade, Industry and Energy or the Minister of Education under Article 44 (1) prescribed by Presidential Decree.

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Article 46 (Confidentiality)

Any former or current officer or employee of any of the institutions, corporations, and organizations specified in subparagraph 1 and 2 of Article 45 shall not divulge confidential information which becomes known to him/her in the course of performing his/her duties: Provided, That the foregoing shall not apply where the Minister of Trade, Industry and Energy or the Minister of Education deems it necessary for innovation of industrial technology. <Amended on May 24, 2011; Mar. 23, 2013>

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Article 47 (Penalty Provisions)

(1) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended on May 24, 2011>

- 1. A person who obtains certification of a new excellent technology under Article 15-2 (1), confirmation of a product made using new excellent technology under Article 15-2 (2), or certification of a new excellent product under Article 16 (1) by fraud or other improper means;
- 2. A person who divulges confidential information acquired in the course of performing his/her duties, in violation of Article 46.

(2) Any person who uses a mark with words indicating a certified new technology or a certified new product in labeling or advertising in violation of Article 16-3 (2) shall be punished by a fine not exceeding five million won. <Amended on May 24, 2011>

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Article 48 (Joint Penalty Provisions)

If the representative of a corporation or an agent or employee of, or other persons employed by, the corporation or an individual commits an offense in violation of Article 47 in connection with the business affairs of the corporation or individual, not only shall such offender be punished, but the corporation or individual also shall be subject to a fine prescribed in the relevant Article: Provided, That this shall not apply where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offense.

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Article 49 (Administrative Fines)

- (1) Any of the following persons shall be subject to an administrative fine not exceeding one million won: <Amended on Feb. 6, 2024>
- 1. A person who fails to comply with a summons to make an appearance and statement or a request to submit documents under Article 11-3 (2) (including cases to which the aforesaid provisions shall apply mutatis mutandis pursuant to Article 15 (4), 19 (3), or 27 (2); the same shall apply hereafter in this Article) or makes a false representation in such statements or documents;
 - 2. A person who refuses, interferes with, or evades a site inspection of actual conditions under Article 11-3 (2).
 - 3. A person who uses the Korea Institute for Advancement of Technology, the Korea Planning & Evaluation Institute of Industrial Technology, the Korea Institute of Ceramic Engineering and Technology, the National Academy of Engineering of Korea, the Korea Testing Laboratory, or any name similar thereto, in violation of Article 44-2;
- (2) The administrative fines under paragraph (1) shall be imposed and collected by the Minister of Trade, Industry and Energy, as prescribed by Presidential Decree.

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Article 1 (Enforcement Date)

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

Articles 2 (Transitional Measures concerning Innovation Plans)

The plans for the development of infrastructure for technology falling under the provisions of Article 4 of the former Industrial Technology Infrastructure Development Act and the plans for the development of basic industrial technology falling under the provisions of Article 23 of the former Industrial Development Act, effective at the time this Act enters into force, shall be deemed an innovation plan and implementation plan, respectively, falling under the provisions of Article 5 of this Act respectively until the innovation plan and implementation plan under the provisions of Article 5 of this Act are formulated.

Article 3 (Transitional Measures concerning Projects for Innovation of Industrial Technology)

The projects to develop basic industrial technology under the provisions of Article 24 of the former Industrial Development Act and the projects to develop infrastructure for industrial technology under the former Industrial Technology Infrastructure Development Act, effective as at the time this Act enters into force, shall be deemed projects for innovation of industrial technology under this Act.

Article 4 (Transitional Measures concerning Korea Industrial Technology Foundation)

- (1) The Korea Industrial Technology Foundation established pursuant to the Civil Act before this Act enters into force shall be deemed to have been established pursuant to the provisions of Article 39.
- (2) The acts done and other legal relationships formed in the name of the Korea Industrial Technology Foundation before this Act enters into force shall be deemed to have been done or formed in the name of the Korea Industrial Technology Foundation pursuant to this Act.
- (3) Any title of the Korea Industrial Technology Foundation recorded in registers and other official records before this Act enters into force shall be deemed the title of the Korea Industrial Technology Foundation.
- (4) A citation of the Korea Industrial Technology Foundation by any other statute in force at the time this Act enters into force shall be deemed a citation of the Korea Industrial Technology Foundation under this Act in lieu of the former foundation.

Article 5 (Transfer of Rights and Obligations of Korea Testing Laboratory)

- (1) The property, rights, and obligations of the former Korea Testing Laboratory, established pursuant to the provisions of Article 26 (1) 1 of the Enforcement Decree of the Industrial Technology Infrastructure Development Act according to the provisions of Article 14-4 (5) of the said Act before this Act enters into force, shall be universally transferred to the Korea Testing Laboratory established pursuant to the provisions of Article 41.
- (2) Any title of the former Korea Testing Laboratory recorded in the registers and other official records of property, rights, and obligations universally transferred under the provisions of paragraph (1) shall be deemed the title of the Korea Testing Laboratory under this Act.

(3) The acts done by the former Korea Testing Laboratory before the establishment of the Korea Testing Laboratory under this Act shall be deemed acts done by the Korea Testing Laboratory.

Article 6 Omitted.

Article 7 (Relationship to Other Statutes)

A citation of any provision of the former Industrial Technology Infrastructure Development Act by any other statute in force as at the time this Act enters into force shall be deemed a citation of this Act or the relevant provision of this Act in lieu of the former provision, if this Act contains such relevant provision.

<8108, 2006. 12. 28.>

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ADDENDA <Act No. 8108, Dec. 28, 2006>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 Omitted.

Article 4 Omitted.

<8189, 2007. 1. 3.>

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ADDENDA <Act No. 8189, Jan. 3, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

<8355, 2007. 4. 11.>

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ADDENDA <Act No. 8355, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

<8852, 2008. 2. 29.>

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

<9369, 2009. 1. 30.>

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ADDENDA <Act No. 9369, Jan. 30, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force three months after the date of its promulgation.

Article 2 (Transitional Measures concerning Restrictions on Participation in National Research and Development Projects)

The amended provisions of Article 11-2 shall also apply to a person who is executing a project with funds contributed for the project under the former provisions at the time this Act enters into force.

Article 3 (Preparation for Establishment of Technology Advancement Institute and Evaluation Institute)

(1) The Minister of Knowledge Economy shall establish the Committee for the Establishment of Institutions Supporting the Development of Technology (hereinafter referred to as "Establishment Committee") under the Ministry of Trade, Industry and Energy within 30 days of the date of promulgation of this Act in order to dissolve the following institutions, reorganize the research and development projects that have been executed by the institutions referred to in Article 6 (1) of the Addenda, and carry out the administrative affairs concerning the establishment of the Technology Advancement Institute and the Evaluation Institute:

1. The Korea Institute of Industrial Technology Evaluation and Planning under the former Article 38;
2. The Korea Industrial Technology Foundation under the former Article 39;
3. The Korea Technology Transfer Center under Article 9 of the former Technology Transfer and Commercialization Promotion Act, as amended by Article 8 (2) of the Addenda;

4. The Korea Institute for Advancement of Materials and Components under Article 36-2 of the former Act on Special Measures for the Promotion of Specialized Enterprises, etc. for Components and Materials, as amended by Article 8 (4) of the Addenda.

(2) The Establishment Committee shall be composed of not more than five members, including the chairperson commissioned by the Minister of Knowledge Economy, and the chairperson shall be commissioned by the Minister of Knowledge Economy from among the Committee members.

(3) The Establishment Committee shall prepare the following documents and shall obtain approval thereof from the Minister of Knowledge Economy:

1. Articles of incorporation of the Technology Advancement Institute and the Evaluation Institute;
2. Plans for the following matters concerning transfers to the Technology Advancement Institute and the Evaluation Institute:

(a) Disposal of claims, liabilities, rights, obligations, and assets of the institutions specified in paragraph (1) (hereinafter referred to as the "Korea Institute of Industrial Technology Evaluation and Planning, etc.");

(b) Transfer of employees of the Korea Institute of Industrial Technology Evaluation and Planning, etc.

(4) The executive officers of the Technology Advancement Institute and the Evaluation Institute, excluding auditors, for the first term shall be appointed by the Minister of Knowledge Economy on the recommendation of the Establishment Committee, while the auditors of the Technology Advancement Institute and the Evaluation Institute for the first term shall be appointed by the Minister of Strategy and Finance on the recommendation of the Establishment Committee. In such cases, the Establishment Committee shall be deemed the committee for the recommendation of executive officers of the Technology Advancement Institute and the Evaluation Institute for the first term.

(5) The Establishment Committee shall jointly file for registration of the establishment of the Technology Advancement Institute and the Evaluation Institute, without delay, after obtaining the approval under paragraph (3).

(6) The Establishment Committee shall, without delay, transfer administrative affairs if the heads of the Technology Advancement Institute and the Evaluation Institute are appointed, and the members of the Establishment Committee shall be deemed dismissed upon transfer of administrative affairs.

(7) The expenses incurred in preparing for the establishment of the Technology Advancement Institute and the Evaluation Institute may be subsidized from the budget of the Korea Institute of Industrial Technology Evaluation and Planning, etc.

Article 4 (Transitional Measures concerning Establishment of Technology Advancement Institute and Evaluation Institute)

(1) Notwithstanding the provisions concerning the dissolution and liquidation of corporations under the Civil Act, which shall apply mutatis mutandis pursuant to relevant Acts, the Korea Institute of Industrial Technology Evaluation and Planning, etc. shall be deemed to be dissolved simultaneously upon establishment of the Technology Advancement Institute and the Evaluation Institute, and all rights,

obligations, and employees of the Korea Institute of Industrial Technology Evaluation and Planning, etc. shall be transferred to the Technology Advancement Institute and the Evaluation Institute respectively in accordance with the plan approved by the Minister of Knowledge Economy under Article 3 (3) 2 of the Addenda (hereinafter referred to as "reorganization plan").

(2) The value of the assets to be transferred to the Technology Advancement Institute or the Evaluation Institute under paragraph (1) shall be determined based on the book value as at the date falling immediately before the date of registration of the establishment of each institute.

(3) The titles of the Korea Institute of Industrial Technology Evaluation and Planning, etc. recorded in registers and other public records before this Act enters into force shall be deemed the title of the Technology Advancement Institute or of the Evaluation Institute in accordance with the reorganization plan.

(4) Acts done by the Korea Institute of Industrial Technology Evaluation and Planning, etc. before this Act enters into force shall be deemed acts done by the Technology Advancement Institute or the Evaluation Institute in accordance with the reorganization plan.

Article 5 (Transitional Measures concerning Designation of Public Institutions)

The designation of the Korea Institute of Industrial Technology Evaluation and Planning, etc. as public institutions by the Minister of Strategy and Finance under the Act on the Management of Public Institutions before this Act enters into force shall be deemed designation of the Technology Advancement Institute or the Evaluation Institute under this Act.

Article 6 (Transfer of Rights and Obligations of Institute for Information Technology Advancement)

(1) The Establishment Committee shall formulate a plan for the reorganization of research and development projects executed by the following institutions and shall obtain approval thereof from the Minister of Trade, Industry and Energy:

1. The Institute for Information Technology Advancement under Article 35-2 of the Framework Act on Informatization Promotion.
2. The Korea National Cleaner Production Center under Article 7 of the Act on the Promotion of the Conversion into Environment-Friendly Industrial Structure;
3. The Korea Institute of Design Promotion under Article 11 of the Industrial Design Promotion Act.

(2) A plan formulated under paragraph (1) shall include provisions concerning the reorganization of the projects executed by the institutions specified in paragraph (1) (hereinafter referred to as the "Institute for Information Technology Advancement, etc.") and the transfer of the assets, rights, obligations, and employees related to such projects to the Technology Advancement Institute and the Evaluation Institute respectively.

(3) Subject to a resolution of the boards of directors of the Institute for Information Technology Advancement, etc., the assets, rights, and obligations of the Institute for Information Technology Advancement, etc., included in the plan approved by the Minister of Knowledge Economy under paragraph (1) (hereinafter referred to as "reorganization plan"), among the assets, rights, and obligations

of the Institute for Information Technology Advancement, etc., shall be transferred to the Technology Advancement Institute or the Evaluation Institute in accordance with the provisions of the reorganization plan simultaneously at the time the establishment of the Technology Advancement Institute or the Evaluation Institute is registered.

(4) The employees included in the reorganization plan, among the employees who engage in research and development in the Institute for Information Technology Advancement, etc. at the time this Act enters into force shall be deemed to have been employed as employees of the Technology Advancement Institute or the Evaluation institute in accordance with the provisions of the reorganization plan.

(5) The value of the assets to be transferred to the Technology Advancement Institute or the Evaluation Institute under paragraph (3) shall be determined based on the book value as at the date falling immediately before the date of registration of the establishment of each institute.

(6) Any titles of the Institute for Information Technology Advancement, etc. recorded in registers and other official records at the time this Act enters into force shall be deemed the title of the Technology Advancement Institute or the Evaluation Institute in accordance with the provisions of the reorganization plan.

(7) The expenses incurred in transferring assets, rights, and obligations under paragraph (3) may be subsidized from the budget of the Institute for Information Technology Advancement, etc.

(8) Acts done by the Institute for Information Technology Advancement, etc. before this Act enters into force shall be deemed acts done by the Technology Advancement Institute or the Evaluation Institute in accordance with the provisions of the reorganization plan.

Article 7 (Transitional Measures concerning Establishment of Korea Institute of Ceramic Engineering and Technology)

(1) The Establishment Committee under Article 3 (1) of the Addenda shall take charge of administrative affairs for the establishment of the Korea Institute of Ceramic Engineering and Technology under the amended provisions of Article 39-2.

(2) The Establishment Committee shall prepare articles of incorporation of the Korea Institute of Ceramic Engineering and Technology and shall obtain approval thereof from the Minister of Knowledge Economy.

(3) The executive officers of the Korea Institute of Ceramic Engineering and Technology, excluding auditors, for the first term shall be appointed by the Minister of Knowledge Economy upon the recommendation of the Establishment Committee, while the auditors of the Korea Institute of Ceramic Engineering and Technology for the first term shall be appointed by the Minister of Economy and Finance upon the recommendation of the Establishment Committee. In such cases, the Establishment Committee shall be deemed the committee for the recommendation of executive officers of the Korea Institute of Ceramic Engineering and Technology for the first term.

(4) The Establishment Committee shall jointly file for the registration of the establishment of the Korea Institute of Ceramic Engineering and Technology without delay after obtaining approval under

paragraph (2).

(5) The Establishment Committee shall, without delay, transfer administrative affairs if the head of the Korea Institute of Ceramic Engineering and Technology is appointed, and the members of the Establishment Committee shall be deemed dismissed upon transfer of administrative affairs.

(6) The expenses incurred in preparing for the establishment of the Korea Institute of Ceramic Engineering and Technology may be subsidized from the budget of the Institute of Ceramic Engineering and Technology.

(7) The assets, rights, and obligations of the Institute of Ceramic Engineering and Technology at the time this Act enters into force shall be transferred to the Korea Institute of Ceramic Engineering and Technology.

(8) The employees of the Institute of Ceramic Engineering and Technology at the time this Act enters into force shall be deemed employed as employees of the Korea Institute of Ceramic Engineering and Technology.

(9) The designation of the Institute of Ceramic Engineering and Technology as a public institution by the Minister of Strategy and Finance under the Act on the Management of Public Institutions before this Act enters into force shall be deemed designation of the Korea Institute of Ceramic Engineering and Technology under this Act.

Article 8 Omitted.

Article 9 (Transitional Measure according to Amendment of other Acts)

The expenses incurred to lenders in connection with loans secured over technology under Article 4 of the former Technology Development Promotion Act before this Act enters into force, such as compensation for loss on loans secured over technology, shall be paid from the Science and Technology Promotion Fund under Article 22 of the Framework Act on Science and Technology.

<9374, 2009. 1. 30.>

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ADDENDA <Act No. 9374, Jan. 30, 2009>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

<9584, 2009. 4. 1.>

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ADDENDA <Act No. 9584, Apr. 1, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on May 8, 2009.

Articles 2 through 6 Omitted.

<9629, 2009. 4. 22.>

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ADDENDA <Act No. 9629, Apr. 22, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That Article 6 (8) of the Addenda shall enter into force ... <omitted> ... on May 1, 2009.

Articles 2 through 7 Omitted.

<9708, 2009. 5. 22.>

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ADDENDA <Act No. 9708, May 22, 2009>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

<9931, 2010. 1. 13.>

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ADDENDA <Act No. 9931, Jan. 13, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

<10220, 2010. 3. 31.>

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ADDENDA <Act No. 10220, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Article 2 through 5 Omitted.

<10708, 2011. 5. 24.>

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ADDENDA <Act No. 10708, May 24, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Repeal of Other Acts)

The Technology Development Promotion Act shall be hereby repealed.

Article 3 (Applicability to Penalty Charges)

The amended provisions of Article 11-2 (5) (including cases to which the aforesaid provisions shall apply mutatis mutandis pursuant to the amended provisions of Article 15 (4), 19 (3), or 27 (2)) shall apply to the activities conducted after this Act enters into force.

Article 4 (Transitional Measures concerning Certification of New Excellent Technology)

- (1) New excellent technologies certified under Article 6 of the former Technology Development Promotion Act before this Act enters into force shall be deemed new excellent technologies certified under the amended provisions of Article 15-2 (1).
- (2) Applications filed for certification of a new excellent technology under Article 6 of the former Technology Development Promotion Act before this Act enters into force shall be deemed applications filed for certification of a new excellent technology under the amended provisions of Article 15-2 (4).
- (3) The products confirmed by the Minister of Knowledge Economy as products made using new excellent technology before this Act enters into force shall be deemed products confirmed as those made using new excellent technology under the amended provisions of Article 15-2 (3).
- (4) The applications filed with the Minister of Knowledge Economy for the confirmation of a product made using new excellent technology before this Act enters into force shall be deemed applications filed for the confirmation of a product made using new excellent technology under the amended provisions of Article 15-2 (4).

<11233, 2012. 1. 26.>

ADDENDUM <Act No. 11233, Jan. 26, 2012>

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

<11690, 2013. 3. 23.>

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

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

<11713, 2013. 3. 23.>

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ADDENDA <Act No. 11713, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

<11965, 2013. 7. 30.>

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ADDENDA <Act No. 11965, Jul. 30, 2013>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 Omitted.

Article 4 Omitted.

<12003, 2013. 8. 6.>

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ADDENDA <Act No. 12003, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Article 2 through 5 Omitted.

<12005, 2013. 8. 6.>

ADDENDUM <Act No. 12005, Aug. 6, 2013>

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

<12307, 2014. 1. 21.>

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ADDENDA <Act No. 12307, Jan. 21, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

<12607, 2014. 5. 20.>

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ADDENDA <Act No. 12607, May 20, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Special Cases concerning Application of Standards for Imposition of Penalty Charges)

The amended provisions of Article 11-3 (1) shall apply to the guidelines for the imposition of penalty charges for acts that constitute an offense under the former Article 11-2 (1) 5 at the time this Act enters into force.

<12673, 2014. 5. 28.>

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ADDENDA <Act No. 12673, May 28, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

<12858, 2014. 12. 23.>

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ADDENDA <Act No. 12858, Dec. 23, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Article 2 (Applicability to Transfer of Royalties to Fund)

The amended provisions of Article 12 (2) shall apply to the royalties collected after this Act enters into force.

Article 3 (Transitional Measures concerning Abolition of Fund for Rational Use of Specific Substances)

The account for the rational use of specific substances for the Fund shall succeed to all assets, claims, obligations, rights, duties of the Fund for the Rational Use of Specific Substances under Article 21 of the former Act on the Control, etc. of Manufacture of Specific Substances for the Protection of the Ozone Layer.

Article 4 Omitted.

<13736, 2016. 1. 6.>

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ADDENDUM <Act No. 13736, Jan. 6, 2016>

This Decree shall enter into force three months after the date of its promulgation.

<14592, 2017. 3. 14.>

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ADDENDA <Act No. 14592, Mar. 14, 2017>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Restrictions on Participation in National Research and Development Projects)

The amended provision of Article 11-2 shall begin applying to projects for the development of industrial technology for which an agreement was executed first after this Act enters into force.

<14839, 2017. 7. 26.>

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

Article 1 (Enforcement Date)

(1) This Act shall enter into force on the date of its promulgation: Provided, That the amendments to the Acts to be amended pursuant to Article 5 of the Addenda, which were promulgated before this Act enters into force but the enforcement dates of which have yet to arrive, shall enter into force on the enforcement date of the relevant Act.

Articles 2 through 6 Omitted.

<15344, 2018. 1. 16.>

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ADDENDA <Act No. 15344, Jan. 16, 2018>

Article 1 (Enforcement Date)

This Decree shall enter into force three months after the date of its promulgation.

Article 2 Omitted.

Article 3 Omitted.

Article 4 Omitted.

<15489, 2018. 3. 20.>

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ADDENDA <Act No. 15489, Mar. 20, 2018>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

<16218, 2019. 1. 8.>

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ADDENDA <Act No. 16218, Jan. 8, 2019>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

Article 3 Omitted.

<16892, 2020. 1. 29.>

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ADDENDA <Act No. 16892, Jan. 29, 2020>

Article 1 (Enforcement Date)

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

Article 2 (Effective Period)

The amended provisions of Article 37-4 (2) 11 shall remain effective until December 31, 2024.

<17636, 2020. 12. 8.>

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ADDENDA <Act No. 17636, Dec. 8, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

<19002, 2022. 10. 18.>

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ADDENDA <Act No. 19002, Oct. 18, 2022>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

<19430, 2023. 6. 9.>

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ADDENDA <Act No. 19430, Jun. 9, 2023>

Article 1 (Enforcement Date)

This Act shall enter into force one month after the date of its promulgation. (Proviso Omitted.)
Articles 2 through 22 Omitted.

<19438, 2023. 6. 13.>

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ADDENDA <Act No. 19438, Jun. 13, 2023>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)
Article 2 Omitted.

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ADDENDA <Act No. 19496, Jun. 20, 2023>

Article 1 (Enforcement Date)

This Decree shall enter into force three months after the date of its promulgation.

Article 2 (Transitional Measures concerning the Korea Planning & Evaluation of Industrial Technology)

The Korea Evaluation Institute of Industrial Technology established under the previous provisions as at the time this Act enters into force shall be deemed the Korea Planning & Evaluation Institute of Industrial Technology established under the amended provisions of this Act.

Article 3 Omitted.

Article 4 (Relationship to Other Statutes or Regulations)

Where the Korea Evaluation Institute of Industrial Technology, as renamed under this Act, is cited in other statutes or regulations as at the time this Act enters into force, the "Korea Planning & Evaluation Institute of Industrial Technology" under this Act shall be deemed cited.

<20144, 2024. 1. 26.>

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ADDENDA <Act No. 20144, Jan. 26, 2024>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

<20198, 2024. 2. 6.>

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ADDENDUM <Act No. 20198, Feb. 6, 2024>

This Decree shall enter into force three months after the date of its promulgation.

Last updated : - -

