

WAGE CLAIM GUARANTEE ACT

Act No. 5513, Feb. 20, 1998

Amended by Act No. 6100, Dec. 31, 1999
Act No. 6334, Dec. 30, 2000
Act No. 7047, Dec. 31, 2003
Act No. 7379, Jan. 27, 2005
Act No. 7466, Mar. 31, 2005
Act No. 8093, Dec. 26, 2006
Act No. 8135, Dec. 30, 2006
Act No. 8372, Apr. 11, 2007
Act No. 8373, Apr. 11, 2007
Act No. 8694, Dec. 14, 2007
Act No. 8816, Dec. 27, 2007
Act No. 9339, Jan. 7, 2009
Act No. 9792, Oct. 9, 2009
Act No. 9794, Oct. 9, 2009
Act No. 9991, Jan. 27, 2010
Act No. 10320, May 25, 2010
Act No. 10339, Jun. 4, 2010
Act No. 10967, Jul. 25, 2011
Act No. 11277, Feb. 1, 2012
Act No. 12528, Mar. 24, 2014

CHAPTER I

General Provisions

<Amended by Act No. 8816, Dec. 27, 2007>

Article 1 (Purpose)

The purpose of this Act is to contribute to stabilization of workers' livelihoods by coming up with measures to guarantee the payment of overdue wages, etc., to workers who have retired without receiving their wages, etc., because companies were unable to continue their business, or their management was unstable due to economic fluctuation, changes in industrial structure, etc.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 2 (Definitions)

Terms used in this Act are defined as follows: *<Amended by Act No. 9991, Jan. 27, 2010>*

1. The term "worker" means a worker under Article 2 of the Labor Standards Act;
2. The term "employer" means a person who operates a business

- by using workers;
3. The term “wages, etc.” means wages, retirement pay and allowances for suspension of business under Articles 2, 34 and 46 of the Labor Standards Act; and
 4. The term "remuneration" means remuneration under subparagraph 3 of Article 2 of the Act on the Collection, etc. of Premiums for Employment Insurance and Industrial Accident Compensation Insurance.
- <This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>*

Article 3 (Scope of Application)

This Act shall apply to businesses or workplaces (hereinafter referred to as “businesses”) under Article 6 of the Industrial Accident Compensation Insurance Act: Provided that this shall not apply to any business which is carried out directly by the State or local governments.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 4 (Mutatis Mutandis Application)

Article 3, Article 5 (4) and (5), Article 6 (2) through (4) and Article 8 of the Act on the Collection, etc., of Premiums for Employment Insurance and Industrial Accident Compensation Insurance (hereinafter referred to as “the Insurance Premium Collection Act”) shall apply mutatis mutandis to wage claim guarantee relations.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 5 (Defrayment out of State Treasury)

The State shall, within the limits of the budget of every fiscal year, defray part of the costs of carrying out the work of guaranteeing the payment of wage claims under this Act, out of the general account.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 6 (Deliberation Commission on Wage Claim Guarantee Fund)

(1) The Deliberation Commission on Wage Claim Guarantee Fund (hereinafter referred to as “Commission”) shall be established in the Ministry of Employment and Labor in order to deliberate on important matters relating to the management and operation of the Wage Claim Guarantee Fund under Article 17. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) The Commission shall be composed of members representing workers, members representing employers, and members representing the public interest, and their numbers shall be equal.

(3) Matters necessary for the organization and operation of the Commission shall be prescribed by the Presidential Decree.
<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

CHAPTER II

Guarantee of Payment of Wage Claims

<Amended by Act No. 8816, Dec. 27, 2007>

Article 7 (Payment of Overdue Wages, etc.)

(1) Notwithstanding the provision of Article 469 of the Civil Act concerning payment by a third person, if an employer has any of the following reasons, such as bankruptcy, and any of his/her retired workers claims his/her unpaid wages, etc., the Minister of Employment and Labor shall pay such unpaid wages, etc., to the worker on behalf of the employer: <Amended by Act No. 10339, Jun. 4, 2010 and Act No. 12528, Mar. 24, 2014>

1. Where a decision to commence rehabilitation procedures is made under the Debtor Rehabilitation and Bankruptcy Act;
2. Where a decision to declare bankruptcy is made under the Debtor Rehabilitation and Bankruptcy Act; and
3. Where the Minister of Employment and Labor deems the employer incapable of paying unpaid wages, etc., in accordance with the conditions and procedures prescribed by the Presidential Decree.

(2) The scope of wages, etc., to be paid by the Minister of Employment and Labor on behalf of an employer pursuant to paragraph (1) (hereinafter referred to as “subrogated payment”) shall be as follows: Provided that a ceiling may be put on the amount in consideration of a worker’s age, etc., at the time of retirement, as prescribed by the Presidential Decree, and the subrogated payment may not be made if the amount is small: <Amended by Act No. 10339, Jun. 4, 2010 and Act No. 10967, Jul. 25, 2011>

1. Wages under Article 38 (2) 1 of the Labor Standards Act; and retirement benefits, etc., for final three years under Article 12 (2) of the Employee Retirement Benefit Security Act.
2. Allowances for suspension of business (limited to those

for final three months) under Article 46 of the Labor Standards Act.

(3) The criteria for workers and employers who are subject to subrogated payment shall be prescribed by the Presidential Decree.

(4) When a worker who meets the criteria prescribed by the Ordinance of the Ministry of Employment and Labor, such as size of workplace, claims a subrogated payment pursuant to paragraph (1), he/she may receive assistance from a certified labor affairs consultant prescribed by the Ordinance of the Ministry of Employment and Labor in preparing a claim for subrogated payment, verifying facts, etc. *<Newly Inserted by Act No. 10320, May 25, 2010 and Amended by Act No. 10339, Jun. 4, 2010>*

(5) If a worker receives assistance from a certified labor affairs consultant pursuant to paragraph (4), the Minister of Employment and Labor may subsidize all or part of the expenses, and matters concerning the amount of subsidy, the specific payment method, etc. shall be prescribed by the Ordinance of the Ministry of Employment and Labor. *<Newly Inserted by Act No. 10320, May 25, 2010 and Amended by Act No. 10339, Jun. 4, 2010>*

(6) Other matters necessary for requests for and payment, etc. of subrogated payments shall be prescribed by the Presidential Decree. *<Amended by Act No. 10320, May 25, 2010>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 7-2 (Loans to Employers for Overdue Wages, etc.)

(1) If an employer fails to pay wages, etc., to retired workers due to any of the reasons prescribed by the Ordinance of the Ministry of Employment and Labor, such as temporary business difficulties, the Minister of Employment and Labor may provide a loan at the request of the employer to cover the cost required to pay the overdue wages, etc.

(2) The amount of loan under paragraph (1) shall be paid directly to the workers concerned by the Minister of Employment and Labor.

(3) Specific criteria for provision of loans for overdue wages, etc., loan amounts, period and procedures, etc., shall be prescribed by the Ordinance of the Ministry of Employment and Labor.

<This Article Newly Inserted by Act No. 11277, Feb. 1, 2012>

Article 8 (Subrogation of Right to Claim Unpaid Wages, etc.)

(1) If the Minister of Employment and Labor has made a subrogated payment to a worker pursuant to Article 7, the right

of the worker to claim unpaid wages, etc., against his/her employer shall be transferred to the Minister of Employment and Labor. <Amended by Act No. 10339, Jun. 4, 2010>

(2) The right to preferential payment of wage claims under Article 38 (2) of the Labor Standards Act and the right to preferential payment of retirement benefits, etc., under Article 12 (2) of the Employee Retirement Benefit Security Act shall continue to exist with regard to the right transferred under paragraph (1). <Amended by Act No. 10967, Jul. 25, 2011>

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 9 (Charges Imposed on Employers)

(1) The Minister of Employment and Labor shall collect charges from employers in order to cover expenses incurred in making a subrogated payment of unpaid wages, etc., under Article 7. <Amended by Act No. 10339, Jun. 4, 2010>

(2) The amount of charges to be borne by an employer pursuant to paragraph (1) shall be an amount calculated by multiplying the total remuneration of all workers engaging in the business by the rate of charges determined by the Minister of Employment and Labor after deliberation by the Commission, but not exceeding 2/1000. <Amended by Act No. 9991, Jan. 27, 2010 and Act No. 10339, Jun. 4, 2010>

(3) If it is difficult to determine the total amount of remuneration, it shall be determined based on the labor cost ratio announced pursuant to Article 13 (6) of the Insurance Premium Collection Act. <Amended by Act No. 9991, Jan. 27, 2010>

(4) Article 9 of the Insurance Premium Collection Act concerning blanket application for contract business shall apply mutatis mutandis to the collection of charges under paragraph (1). In such cases, "Corporation" in the proviso to Article 9 (1) of the same Act shall be read as "Minister of Employment and Labor". <Amended by Act No. 10339, Jun. 4, 2010>

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 10 (Reduction of Charges)

The Minister of Employment and Labor may reduce charges under Article 9 for employers falling under any of the following subparagraphs. In such cases, the criteria for the reduction shall be determined by the Minister of Employment and Labor after deliberation by the Commission: <Amended by Act No. 10339, Jun. 4, 2010 and Act No. 10967, Jul. 25, 2011>

1. Deleted. <Presidential Decree No. 12528, Mar. 24, 2014>

2. Employers who have calculated and paid in advance retirement pay pursuant to the Labor Standards Act or the Employee Retirement Benefit Security Act;
3. Employers who have taken out retirement insurance, etc. pursuant to Article 2 (1) of the Addenda of the Employee Retirement Benefit Security Act as amended by Act no. 7379 and employers who have established a defined benefit retirement pension plan under Chapter III of the Employee Retirement Benefit Security Act, a defined contribution retirement pension plan under Chapter IV of the same Act or an individual retirement pension plan under Article 25 of the same Act;
4. Employers who have taken out departure guarantee insurance or trust pursuant to Article 13 of the Act on the Employment, etc. of Foreign Workers.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 11 (Protection for Right to Receive Subrogated Payments)

(1) The right to receive subrogated payments shall not be transferred or provided as collateral.

(2) A receipt of subrogated payments may be delegated as prescribed by the Presidential Decree.

(3) A worker who is a minor may independently claim a subrogated payment.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 12 (Proof, etc., of Retirement)

(1) A person who intends to receive a subrogated payment under Article 7 shall submit documents proving his/her retirement and other documents prescribed by the Ordinance of the Ministry of Employment and Labor to the Minister of Employment and Labor. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) If a worker requests any documents prescribed in paragraph (1), the employer shall comply with the request.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 13 (Order to Submit Property List)

(1) If the Minister of Employment and Labor intends to make a subrogated payment to a worker pursuant to Article 7, he/she may order the employer concerned to submit a property list indicating detailed property relationship, as prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

(2) An employer who is ordered to submit a property list

pursuant to paragraph (1) shall submit a property list indicating detailed property relationship to the Minister of Employment and Labor within seven days, unless there is any special reason. <Amended by Act No. 10339, Jun. 4, 2010>

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 14 (Recovery of Undue Gains)

(1) The Minister of Employment and Labor may not pay or give any person who intends to receive a subrogated payment or loan under Articles 7 and 7-2 (1) in a false or any other fraudulent way all or part of the subrogated payment or loan requested, as prescribed by the Presidential Decree. <Amended by Act No. 10339, Jun. 4, 2010; Act No. 11277, Feb. 1, 2012; and Act No. 12528, Mar. 24, 2014>

(2) If a person who has already received a subrogated payment or loan under Articles 7 and 7-2 (1) falls under any of the following subparagraphs, the Minister of Employment and Labor shall recover all or part of the subrogated payment or loan in accordance with the method prescribed by the Presidential Decree: <Newly Inserted by Act No. 12528, Mar. 24, 2014>

1. Where the person has received the subrogated payment or loan in a false or any other fraudulent way;
2. Where there is any other subrogated payment or loan wrongly paid.

(3) If a subrogated payment is recovered pursuant to paragraph (2), an amount not exceeding the amount of subrogated payment received in a false or any other fraudulent way may be additionally collected in accordance with the standards prescribed by the Ordinance of the Ministry of Employment and Labor. <Amended by Act No. 10339, Jun. 4, 2010 and Act No. 12528, Mar. 24, 2014>

(4) In the case of paragraph (2), if a subrogated payment or loan is made by fraudulent means, such as making a false report, making a false statement or false certification or submitting false documents, the employer, jointly with the person who received the subrogated payment or loan, shall take responsibility for the return under paragraph (2). <Amended by Act No. 11277, Feb. 1, 2012 and Act No. 12528, Mar. 24, 2014>

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

<Title of This Article Amended by Act No. 12528, Mar. 24, 2014>

Article 15 (Payment of Reward Money)

If a person reports to or informs a local employment and labor office or an investigation agency that a subrogated payment

has been received in a false or any other fraudulent way, he/she may be given reward money in accordance with the standards prescribed by the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 16 (Mutatis Mutandis Application)

Articles 16-2 through 16-11, 17 through 19, 19-2, 20 22-2, 22-3, 23 through 25, 26-2, 27, 27-2, 27-3, 28, 28-2 through 28-7, 29, 29-2, 30, 32 through 37, 39 and 50 of the Insurance Premium Collection Act shall apply mutatis mutandis with regard to the payment and collection (including requests for the return of a subrogated payment) of charges or other levies under this Act. In such cases, "insurance subscriber" in the same Act shall be read as "employer", "premiums" as "charges", "insurance" as "wage claim guarantee", "insurance activities" as "wage claim guarantee activities", "Corporation" or "National Health Insurance Corporation" as "Minister of Employment and Labor" (referring to the Korea Workers' Compensation & Welfare Service or the National Health Insurance Corporation entrusted with the authority where the authority where such authority is entrusted pursuant to Article 27 of the Act), "estimated premium" as "estimated charge", "insurance year" as "fiscal year", "insurance relations" as "wage claim guarantee relations", "premium rate" as "charge rate", "final premiums" as "final charges", and "Employment Policy Council under Article 10 of the Framework Act on Employment Policy or Deliberation Committee on Industrial Accident Compensation Insurance and Prevention under Article 8 of the Industrial Accident Compensation Insurance Act" as "Commission". *<Amended by Act No. 9792, Oct. 9, 2009; Act No. 9991, Jan. 27, 2010; and Act No. 10339, Jun. 4, 2010>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

CHAPTER III

Wage Claim Guarantee Fund

Article 17 (Establishment of Fund)

The Minister of Employment and Labor shall establish the Wage Claim Guarantee Fund(hereinafter referred to as "Fund")

to finance subrogated payments under Article 7. *<Amended by Act No. 10339, Jun. 4, 2010>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 18 (Creation of Fund)

(1) The Fund shall be created with the following financial resources:

1. Payments made by employers under Article 8;
2. Charges paid by employers under Article 9;
3. Loans under paragraph (2);
4. Revenues from the operation of the Fund;
5. Other revenues

(2) The Minister of Employment and Labor may, if necessary for the operation of the Fund, borrow from financial institutions or other funds on the security of the Fund. *<Amended by Act No. 10339, Jun. 4, 2010>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 19 (Use of Fund)

The fund shall be used for the following purposes: *<Amended by Act No. 9991, Jan. 27, 2010; Act No. 10320, May 25, 2010; and Act No. 11277, Feb. 1, 2012>*

1. To make subrogated payments and return the amount mistakenly paid, etc.;
2. To subsidize the provision of assistance by certified labor affairs consultants under Article 7 (5);
3. To provide loans to employers for paying overdue wages, etc., under Article 7-2;
4. To make financial contributions to any person entrusted with duties under Article 27;
5. To repay loans and interest thereon;
6. To conduct research on the wage claim guarantee system, such as prevention of delays in payment of wages, etc., and support for their payment;
7. To make financial contributions to the Korean Legal Aid Corporation under the Legal Aid Act: Provided that such contributions shall be limited to support for legal aid services for workers with overdue wages;
8. To carry out other wage claim guarantee activities and manage and operate the Fund

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 20 (Management and Operation of Fund)

(1) The Fund shall be managed and operated by the Minister of Employment and Labor. <Amended by Act No. 10339, Jun. 4, 2010>

(2) Paragraphs (2) through (4) of Article 66, Articles 67 through 69 and Article 71 of the Industrial Accident Compensation Insurance Act shall apply mutatis mutandis with regard to the management and operation of the Fund. In such cases, “insurance benefits” in the same Act shall be read as “subrogated payments”, and “premium revenues” as “charge revenues”.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 21 (Fiscal Year)

The fiscal year of the Fund shall coincide with the fiscal year of the government.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

CHAPTER IV

Supplementary Provisions

Article 22 (Reporting, etc.)

The Minister of Employment and Labor may request relevant parties, such as employers of businesses subject to this Act or workers engaged in the relevant businesses, etc., to make a report or submit related documents necessary for the following matters, as prescribed by the Presidential Decree: <Amended by Act No. 10339, Jun. 4, 2010>

1. Managing and operating the Fund;

2. Making subrogated payments

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 23 (Request for Cooperation from Related Agencies, etc.)

(1) If the Minister of Employment and Labor deems it necessary for the efficient operation of wage claim guarantee business, he/she may request cooperation, such as submission of necessary materials, etc., from related administrative agencies, local governments, other agencies or organizations, etc. <Amended by Act No. 10339, Jun. 4, 2010>

(2) Related agencies or organizations requested to cooperate pursuant to paragraph (1) shall cooperate, unless there is any special reason.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 24 (Inspection)

(1) If the Minister of Employment and Labor deems it necessary for the enforcement of this Act, he/she may have a relevant public official enter a workplace subject to this Act to inspect related documents or ask questions to related persons.

<Amended by Act No. 10339, Jun. 4, 2010>

(2) A public official who enters a workplace and conduct an inspection pursuant to paragraph (1) shall carry a certificate indicating his/her authority and show it to related persons.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 25 (Reporting)

If an employer violates this Act or any order issued under this Act, his/her worker may report such violation to a labor inspector and request him/her to take action to correct such violation.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 26 (Extinctive Prescription)

(1) The right to collect charges or other levies under this Act or the right to seek a refund of subrogated payments or charges shall be extinguished by prescription if it is not exercised for three years.

(2) The extinctive prescription under paragraph (1) shall be subject to the Civil Act, except as otherwise provided in this Act.

(3) Articles 42 and 43 of the Insurance Premium Collection Act shall apply mutatis mutandis with regard to the interruption, etc., of extinctive prescription.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 27 (Delegation and Entrustment of Authority)

Part of the authority held by the Minister of Employment and Labor under this Act may be delegated to the heads of local employment and labor offices or entrusted to the Korea Workers' Compensation & Welfare Service under the Industrial Accident Compensation Insurance Act and the National Health Insurance Corporation under the National Health Insurance Act, as prescribed by the Presidential Decree. *<Amended by Act No. 9991, Jan. 27, 2010 and Act No. 10339, Jun. 4, 2010>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

CHAPTER V

Penal Provisions

<Amended by Act No. 8816, Dec. 27, 2007>

Article 28 (Penal Provisions)

(1) A person who falls under any of the following subparagraphs shall be punished by imprisonment for up to three years or by a fine not exceeding 30 million won: *<Amended by Act No. 11277, Feb. 1, 2012 and Act No. 12528, Mar. 24, 2014>*

1. A person who receives a subrogated payment under Article 7 or a loan under Article 7-2 in a false or any other fraudulent way;
2. A person who gets another person to receive a subrogated payment under Article 7 or a loan under Article 7-2 in a false or any other fraudulent way;
3. A person who refuses to submit a property list under Article 13 without any justifiable reason or submits a false property list.

(2) A person who falls under any of the following subparagraphs shall be punished by imprisonment for up to two years or by a fine not exceeding 20 million won: *<Newly Inserted by Act No. 12528, Mar. 24, 2014>*

1. A person who makes a false report, makes false certification or submits false documents to unjustly receive a subrogated payment under Article 7 or a loan under Article 7-2; and
2. A person who makes a false report, makes false certification or submits false documents to get another person to unjustly receive a subrogated payment under Article 7 or a loan under Article 7-2.

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Article 29 (Joint Penal Provisions)

If the representative of a juristic person or an agent, a servant or any other employee of a juristic person or an individual commits an offense prescribed in Article 28 in connection with the business of the juristic person or individual, the fine prescribed in the relevant Article shall be imposed on the juristic person or individual in addition to the punishment of the offender: Provided that this shall not apply unless the juristic person or individual neglects to give considerable attention and supervision to the business concerned in order to

prevent such offence.

<This Article Wholly Amended by Act No. 9339, Jan. 7, 2009>

Article 30 (Fine for Negligence)

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding five million won:

1. A person who fails to comply with a request made under Article 12 (2) without any justifiable reason;
2. A person who fails to comply with a request to report or submit related documents made under Article 22 without any justifiable reason, or who makes a false report or submits false documents;
3. A person who refuses to answer questions asked by a related public official or refuses, interferes with or evades an inspection conducted by him/her under Article 24 (1) without any justifiable reason.

(2) Fines for negligence under paragraph (1) shall be imposed and collected by the Minister of Employment and Labor, as prescribed the Presidential Decree. *<Amended by Act No. 10339, Jun. 4, 2010>*

(3) Deleted. *<Act No. 11277, Feb. 1, 2012>*

(4) Deleted. *<Act No. 11277, Feb. 1, 2012>*

(5) Deleted. *<Act No. 11277, Feb. 1, 2012>*

<This Article Wholly Amended by Act No. 8816, Dec. 27, 2007>

Addendum

<Act No. 9339, Jan. 7, 2009>

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

Addenda

<Act No. 9792, Oct. 9, 2009; Revision of the Framework Act on Employment Policy>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2010.

Article 2 (Revision of Other Acts)

(1) through (7) Omitted.

(8) Parts of the Wage Claim Guarantee Act shall be amended as follows:

“Article 6 of the Basic Employment Policy Act” in the latter

part of Article 16 shall be changed to “Article 10 of the Framework Act on Employment Policy”.

Article 3 Omitted.

Addenda

<Act No. 9794, Oct. 9, 2009; Revision of the Industrial Accident Compensation Insurance Act>

Article 1 (Enforcement Date)

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

Article 2 (Revision of Other Acts)

(1) Omitted.

(2) Parts of the Wage Claim Guarantee Act shall be amended as follows:

“Industrial Accident Compensation Insurance Deliberation Committee” in the latter part of Article 16 shall be changed to “Deliberation Committee on Industrial Accident Compensation Insurance and Prevention”.

Addendum

<Act No. 9991, Jan. 27, 2010>

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

Addendum

<Act No. 10320, May. 25, 2010>

This Act shall enter into force on January 1, 2012.

Addenda

<Act No. 10339, Jun. 4, 2010; Revision of the Government Organization Act>

Article 1 (Enforcement Date)

This Act shall enter into force one month after its promulgation:
<Proviso omitted>

Articles 2 and 3 Omitted.

Article 4 (Revision of Other Acts)

(1) through (58) Omitted.

(59) Parts of the Wage Claim Guarantee Act shall be revised as follows:

"Ministry of Labor" in Article 6 (1) shall be changed to "Ministry of Employment and Labor".

"Minister of Labor" in Article 7 (1), parts other than each subparagraph of Article 7 (2), Article 8 (1), Article 9 (1) and (2), the latter part of Article 9 (4), the former and latter parts of other than each subparagraph of Article 10, Article 12 (1), Article 13 (1) and (2), Article 14 (1), the latter part of Article 16, Article 17, Article 18 (2), Article 20 (1), parts other than each subparagraph of Article 22, Article 23 (1), Article 24 (1), Article 27 and Article 30 (2) through (4) shall be changed to "Minister of Employment and Labor".

"Ordinance of the Ministry of Labor" in Article 12 (1) and Article 14 (2) shall be changed to "Ordinance of the Ministry of Employment and Labor".

"Local labor offices" in Article 15 and Article 27 shall be changed to "local employment and labor offices"

(60) through (82) Omitted.

Article 5 Omitted.

Addenda

<Act No. 10967. Jul. 25, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force one year after its promulgation.

Articles 2 and 11 Omitted.

Article 12 (Revision of Other Acts)

Parts of the Wage Claim Guarantee Act shall be revised as follows:

"Retirement pay for final three years under Article 11 (2) of the Employee Retirement Benefit Security Act" in Article 7 (2) 1 shall be changed to "retirement benefits, etc., for final three years under Article 12 (2) of the Employee Retirement Benefit Security Act".

"Right to preferential payment of retirement pay under Article 11 (2) of the Employee Retirement Benefit Security Act" in Article 8 (2) shall be changed to "right to preferential payment of retirement benefits, etc., under Article 12 (2) of the Employee Retirement Benefit Security Act".

"Employers (including employers of businesses subject to the

provision on special cases for businesses pursuant to Article 26 of the same Act) who have established a retirement pension plan pursuant to Chapter III of the Employee Retirement Benefit Security Act" in subparagraph 3 of Article 10 shall be changed to "employers who have established a defined benefit retirement pension plan under Chapter III of the Employee Retirement Benefit Security Act, a defined contribution retirement pension plan under Chapter IV of the same Act or an individual retirement pension plan under Article 25 of the same Act".

Article 13 Omitted.

Addendum

<Act No. 11277, Feb. 1, 2012>

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

Addenda

<Act No. 12528, Mar. 24, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force six months after its promulgation: Provided that the amended provisions of subparagraph 1 of Article 10 shall enter into force on the date of its promulgation.

Article 2 (Applicability concerning Recovery of Undue Gains)

The amended provisions of Article 14 (2) shall apply to cases where a subrogated payment or loan is received for the first time after this Act enters into force.