GWANGBOK ARCHIVE / PRIMARY 02

Temporary Measures Act on Local Administration

지방행정에관한임시조처법

Republic of Korea · 17 November 1948

Original Korean source · English translation, Gwangbok Archive

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Editorial introduction

Promulgated on 17 November 1948, three months after the establishment of the Republic of Korea, the Temporary Measures Act on Local Administration regulated the organization and command of local administrative institutions during the transition to a more permanent local-government system. The National Archives of Korea identifies the Act as the first law on local administration enacted after the establishment of the government. [1][2]

The statute combined strong ministerial supervision over provincial and city officials (Articles 7–10) with an express commitment to the election of heads of eup and myeon (Article 17). Its territorial schedule included provinces north of the emerging division of Korea. The wording records a legislative territorial claim; it must not be read as proof of administrative control over every listed area. [1][2]

The law resulted from a disagreement over the degree of local autonomy. A government bill was substantially revised in the Constituent National Assembly, which inserted a six-month limit and the election clause. After the government requested reconsideration, the Assembly passed the measure again on 4 November 1948. The enactment was followed by the Local Autonomy Act of 1949, whose supplementary provisions expressly repealed it. [3][4]

TEXTUAL BASIS The primary translation uses the 1948 enactment; the source 1949 PDF shows only the later repeal record. The 1949 extract is translated separately in Appendix A.

Original enactment / 17 november 1948

Chapter I. General Provisions / 제1장 총칙

Article 1

제1조 지방행정의 조직에 관하여는 헌법, 정부조직법 기타의 법률에 특별한 규정이 있는 것을 제외하고는 본법의 정하는 바에 의한다.	Article 1. With respect to the organization of local administration, except where special provisions are made by the Constitution, the Government Organization Act, or other statutes, the provisions of this Act shall apply.

Article 2

제2조 지방행정기관에는 그 소관사무를 분장하기 위하여 필요한 때에는 대통령령의 정하는 바에 의하여 원격지에 출장소 또는 지서를 둘 수 있다.

Article 2. Where necessary for the division of their functions, local administrative agencies may establish branch offices or outposts in remote locations, as prescribed by Presidential Decree.

Article 3

제3조 지방행정기관에는 그 소관사무의 범위내에서 필요한 때에는 대통령령의 정하는 바에 의하여 박물관, 도서관, 시험소, 연구소등의 문화시설과 병원, 요양원, 고아원, 직업소개소등의 공공복리시설과 심의회, 위원회등의 자문 혹은 조사의 기관을 설치할 수 있다.

Article 3. Where necessary within the scope of their functions, local administrative agencies may, as prescribed by Presidential Decree, establish cultural facilities such as museums, libraries, testing stations, and research institutes; public welfare facilities such as hospitals, sanatoria, orphanages, and employment placement offices; and advisory or investigatory bodies such as deliberative councils and committees.

Article 4

제4조 본법에 규정된 각기관의 직제, 공무원의 종류, 정원과 보수에 관한 사항은 대통령령으로써 정한다.

Article 4. Matters concerning the organizational structures of the agencies provided for in this Act, the categories of public officials, their authorized staffing levels, and their remuneration shall be prescribed by Presidential Decree.

LOCAL ADMINISTRATION / CITIES & PROVINCES

Chapter II. City and Provinces / 제2장 시・도

Article 5

제5조 지방에 좌의 시와 도를 둔다.
서울시
경기도, 충청북도, 충청남도, 전라북도, 전라남도, 제주도, 경상북도, 경상남도, 황해도, 평안남도, 평안북도, 강원도, 함경남도, 함경북도
시・도의 위치와 관할구역은 대통령령으로써 정한다.

Article 5. The following City and Provinces shall be established for local administration:
Seoul City.
Gyeonggi, North Chungcheong, South Chungcheong, North Jeolla, South Jeolla, Jeju, North Gyeongsang, South Gyeongsang, Hwanghae, South Pyeongan, North Pyeongan, Gangwon, South Hamgyeong, and North Hamgyeong Provinces.
The locations and territorial jurisdictions of the City and Provinces shall be prescribed by Presidential Decree.

Article 6

제6조 시에 시장, 도에 도지사 각 1인을 둔다.

Article 6. There shall be one Mayor for the City and one Governor for each Province.

Article 7

제7조 시장, 도지사는 내무부장관의 지휘감독을 받으며 각부처소관 사무에 관하여는 국무총리 또는 각 부장관의 지휘감독을 받어 법령을 집행하며 관내의 행정사무를 장리하며 소속공무원을 지휘감독한다. 도지사는 관하지방자치단체를 감독한다.

Article 7. The Mayor and Provincial Governors shall, under the direction and supervision of the Minister of Home Affairs and, with respect to matters falling within the jurisdiction of individual ministries, under that of the Prime Minister or the ministers concerned, implement laws and regulations, administer affairs within their jurisdictions, and direct and supervise subordinate public officials.
Provincial Governors shall supervise the local self-governing bodies within their jurisdictions.

Article 8

제8조 시장은 구청장, 경찰서장, 소방서장의, 도지사는 부윤, 군수, 도사, 경찰서장, 소방서장의 명령 또는 처분이 위법 또는 부당하다고 인할 때에는 이것을 중지 또는 취소할 수 있다.

Article 8. Where the Mayor considers an order or disposition of a district head, police station chief, or fire station chief to be unlawful or improper, or where a Provincial Governor so considers an order or disposition of a bu administrator, county head, island administrator, police station chief, or fire station chief, the Mayor or Governor may suspend or revoke that order or disposition.

Article 9

제9조 시장, 도지사는 그 소관사무에 관하여 직권 또는 위임된 범위내에서 시령, 도령을 발할 수 있다.

Article 9. The Mayor and Provincial Governors may, with respect to matters within their jurisdiction, issue city orders and provincial orders, respectively, on their own authority or within the scope of authority delegated to them.

Article 10

제10조 시장은 구청장, 경찰서장, 소방서장에게, 도지사는 부윤, 군수, 도사, 경찰서장, 소방서장에게 그 직권에 속하는 사무의 일부를 위임할 수 있다.

Article 10. The Mayor may delegate part of the duties falling within the Mayor’s authority to district heads, police station chiefs, and fire station chiefs; Provincial Governors may do so to bu administrators, county heads, island administrators, police station chiefs, and fire station chiefs.

Article 11

제11조 시장 또는 도지사는 비상긴급사태에 제하여 안녕질서를 보전하기 위하여 병력을 요할 때에는 그 지구군대사령관에게 출병을 요구할 수 있다.

Article 11. In an emergency, where military forces are required to preserve public peace and order, the Mayor or a Provincial Governor may request the dispatch of troops from the military commander of the district concerned.

Subordinate offices / local jurisdictions

Chapter III. Districts, Bu, Counties, Islands, and Stations / 제3장 구, 부, 군, 도, 서

Article 12

제12조 시에 구, 도에 부, 군, 도를 둔다.
구, 부, 군, 도의 명칭, 위치와 관할구역은 대통령령으로써 정한다.

Article 12. Districts (gu) shall be established in the City, and bu municipalities (bu), counties (gun), and island districts (do) in the Provinces. The names, locations, and territorial jurisdictions of the districts, bu municipalities, counties, and island districts shall be prescribed by Presidential Decree.

Article 13

제13조 각구, 부, 군, 도에 경찰서를 두고 시와 대통령이 지정하는 부, 군에는 소방서를 둔다. 단, 지방의 필요에 의하여 따로히 구역을 정하거나 또는 부, 군을 합하여 경찰서를 둘 수 있다.
경찰서, 소방서의 명칭, 위치와 관할구역은 대통령령으로써 정한다.

Article 13. Police stations shall be established in each district, bu municipality, county, and island district; fire stations shall be established in the City and in such bu municipalities and counties as the President designates. Provided, however, that separate areas of jurisdiction may be designated to meet local needs, or a single police station may serve a combination of bu municipalities or counties.
The names, locations, and territorial jurisdictions of police stations and fire stations shall be prescribed by Presidential Decree.

Article 14

제14조 구에 구청장, 부에 부윤, 군에 군수, 도에 도사, 경찰서 및 소방서에 서장 각1인을 둔다. 단, 도경찰서의 서장은 도사가 겸임한다.

Article 14. There shall be one district head (gucheongjang) for each district, one bu administrator (buyun) for each bu municipality, one county head (gunsu) for each county, one island administrator (dosa) for each island district, and one chief for each police station and fire station. Provided, however, that the island administrator shall concurrently serve as chief of the island district’s police station.

Article 15

제15조 구청장은 시장의, 부윤, 군수, 도사는 도지사의 지휘감독을받어 법령을 집행하며 관내의 행정사무를 장리하며 소속공무원을 지휘감독한다. 군수, 도사는 관하지방자치단체를 감독한다.	Article 15. District heads, under the direction and supervision of the Mayor, and bu administrators, county heads, and island administrators, under the direction and supervision of Provincial Governors, shall implement laws and regulations, administer affairs within their jurisdictions, and direct and supervise subordinate public officials. County heads and island administrators shall supervise local self-governing bodies within their jurisdictions.

Article 16

제16조 경찰서장, 소방서장은 시장 또는 도지사의 지휘감독을 받어 관내의 치안과 소방에 관한 사무를 장리하며 소속공무원을 지휘감독한다.	Article 16. Police station chiefs and fire station chiefs shall, under the direction and supervision of the Mayor or the Provincial Governor, administer public security and firefighting affairs within their jurisdictions and direct and supervise subordinate public officials.

Territorial self-government

Chapter IV. Eup and Myeon / 제4장 읍, 면

Article 17

제17조 읍, 면구역내에 시행하는 국가행정사무는 법령의 정하는 바에 의하여 자치단체인 읍, 면에 위임하여 행한다. 읍장, 면장은 선거한다.	Article 17. National administrative affairs carried out within the areas of eup and myeon shall be entrusted to those eup and myeon, as self-governing entities, for performance in accordance with laws and regulations. The heads of eup and myeon shall be elected.

Supplementary provisions / law no. 8

Commencement and transitional provisions / 부칙

Article 18

제18조 본법은 공포한 날부터 시행한다.	Article 18. This Act shall enter into force on the date of its promulgation.

Article 19

제19조 본법의 유효기간은 본법 시행일부터 6개월이내로 한다.	Article 19. The period of validity of this Act shall not exceed six months from the date on which it enters into force.

Article 20

제20조 본법 시행시에 현존하는 행정 각기관의 인수에 관한 사항은 대통령령으로써 정한다.	Article 20. Matters concerning the assumption of responsibility for administrative agencies existing at the time this Act enters into force shall be prescribed by Presidential Decree.

Article 21

제21조 읍장, 면장의 선거방법은 대통령령으로써 정한다.	Article 21. The method of electing the heads of eup and myeon shall be prescribed by Presidential Decree.

Appendix a / later legislative disposition

Repeal under the Local Autonomy Act (1949)

This appendix is a separate translation of the 1949 repeal record used for this edition. It is not part of Law No. 8's original 1948 text. The official record identifies Law No. 32 of 4 July 1949 (the Local Autonomy Act) and an effective date of 15 August 1949. Articles 2 and 4 of its supplementary provisions are marked "omitted" in the supplied extract; no missing text has been reconstructed. [4]

Statutory extract / law no. 32

Supplementary Provisions / 부칙

Article a1

부칙 <제32호,1949. 7. 4.>(지방자치법) 제1조 본법은 단기 4282년 8월 15일부터 시행한다.	Supplementary Provisions <Law No. 32, 4 July 1949> (Local Autonomy Act). Article 1. This Act shall enter into force on 15 August of Dangi year 4282 [1949].

Article a2

제2조 생략	Article 2. [Omitted in the supplied official extract.]

Article a3

제3조 지방행정에관한임시조처법, 도제, 부제, 읍면제, 기타 본법에 저촉되는 종전의 법령은 이를 폐지한다. 단, 종전의 법령에 의하여 설치된 기관은 본법에 의하여 그에 대치할 기관이 설치될 때까지 존속한다.	Article 3. The Temporary Measures Act on Local Administration, the Provincial System (Doje), the Bu System, the Eup–Myeon System, and other pre-existing laws and regulations that conflict with this Act are hereby repealed. Provided, however, that institutions established under previous laws and regulations shall continue to exist until the institutions replacing them are established under this Act.

Article a4

제4조 생략	Article 4. [Omitted in the supplied official extract.]

Related display text in the supplied pdf

Korean: 지방행정에관한임시조처법은 이를 폐지한다. English: The Temporary Measures Act on Local Administration is hereby repealed.

This last sentence appears in the official database’s repeal-status display. The more complete operative repeal clause is Article 3 of the 1949 Act’s Supplementary Provisions, translated immediately above.

Editorial apparatus

Translation & historical notes

1. Base text and source version. The primary Korean text is the 1948 original enactment, Law No. 8, effective 17 November 1948. The source PDF instead reflects Law No. 32’s repeal of that Act, effective 15 August 1949. These are not interchangeable statutory versions.

2. Korean transcription. The orthography, vocabulary, names, and sentence boundaries of the statutory source have been retained. Only typographical line breaks have been joined in the bilingual tables. English labels such as “Article” and the interpretive chapter translations are editorial.

3. City and Province (시・도). Article 5 specifies Seoul City and fourteen named provinces. The inclusion of Hwanghae, Pyeongan, and Hamgyeong provinces must not be confused with administrative control over their territories in 1948.

4. Province (道) versus island district (島). Both are written 도 in the Korean text, but context distinguishes a province in Chapter II from a smaller island administrative division in Chapter III. The English translation uses “Province” and “island district,” respectively.

5. Historical local administrative units. The Act preserves the historical designations 구 (gu), 부 (bu), 군 (gun), 읍 (eup), and 면 (myeon). “Bu municipality” and “island district” are explanatory English renderings rather than assertions of equivalence with present-day jurisdictions.

6. Orders and delegated powers. In Article 9, 시령 and 도령 are rendered “city orders” and “provincial orders.” Their source wording and the distinction between powers exercised directly

and those delegated are preserved.

7. Emergency military assistance. Article 11 grants a mayor or provincial governor authority to request troop deployment in an emergency. This reflects the wording of the historical statute only; it is not a statement of modern legal powers.

8. Election of eup and myeon heads. Article 17 states that the local heads “shall be elected,” while Article 21 leaves election methods to Presidential Decree. These provisions do not by themselves establish that particular elections occurred or that direct popular suffrage was prescribed.

9. Original validity period. Article 19 limits the Act’s stated validity to no more than six months after commencement. Historical constitutional research observes that the law continued to be applied in practice before the 1949 Local Autonomy Act took effect; the question of practical application should not be conflated with an express statutory extension. [3]

10. Repeal and transition. The repeal clause in Law No. 32 also allows agencies created under earlier legislation to survive until their replacement institutions are established. “Repeal” therefore did not necessarily entail the immediate disappearance of every existing administrative body.

11. Dangi dating. The Korean era notation 단기 4282년 in the 1949 supplementary provisions corresponds to Gregorian calendar year 1949. The conversion is supplied in square brackets; the Korean original remains unchanged.

12. Translation status. This is an independent research translation, not an official English enactment, certified legal translation, or peer-reviewed diplomatic edition. The editorial explanations are not part of either statute.

REFERENCES & ATTRIBUTION

Documentary source record

[1] Republic of Korea, “지방행정에관한임시조처법” [Temporary Measures Act on Local Administration], Law No. 8 (17 November 1948), original enactment, National Law Information Center, https://www.law.go.kr/LSW/lsInfoP.do?efYd=19481117&lsiSeq=2948&urlMode=lsInfoP.

[2] National Archives of Korea, “지방 행정에 관한 임시조처법” [Temporary Measures Act on Local Administration], Local Autonomy archival exhibit, Presidential Archives record produced in 1948, https://theme.archives.go.kr/next/localSelf/records/detail.do?seq=55.

[3] National Institute of Korean History, “지방자치에 관한 입법 (지방자치법·지방행정에관한임시조처법)” [Legislation on Local Autonomy], Constitutional History Materials Database, https://db.history.go.kr/item/cons/levelByForm.do?form=%EC%86%8D%EA%B8%B0%EB%A1%9D&levelId=cons_001_0020_0020_0020_0100_0020.

[4] Republic of Korea, “지방자치법” [Local Autonomy Act], Law No. 32 (4 July 1949), Supplementary Provisions, effective 15 August 1949, as reproduced in the National Law Information Center repeal record and the source two-page PDF, https://www.law.go.kr/LSW/lsRvsDocListP.do?lsId=001104&lsRvsGubun=all.

[5] Secondary transcription used for verification: Korean Wikisource, “지방행정에관한임시조처법 (대한민국, 법률 제8호),” https://ko.wikisource.org/wiki/지방행정에관한임시조처법_(대한민국,_법률_제8호).

Suggested chicago-style citation

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