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Act on the Organization of Attached Agencies of the Special Tribunal

반민족행위특별재판부부속기관조직법

Republic of Korea · 7 December 1948

Original Korean source · English translation, Gwangbok Archive

Law No. 15 · 7 December 1948Original enactment: five articles, including commencement in Article 5. Separate appendix: Law No. 55 (4 October 1949).Gwangbok Archive · Unofficial English translation

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Repeal: Law No. 55 (법률 제55호), 4 October 1949

Textual basis: Period-script reproduction in Minjok Jeonggi-ui Simpan, Part I; checked against the official enactment summary and legislative history

Editorial introduction

Promulgated on 7 December 1948, Law No. 15 organized the administrative offices attached to the Special Tribunal and Special Prosecution Department established in connection with the Act on Punishment of Anti-National Acts. Rather than creating an investigative agency, this statute provided each of the two adjudicative or prosecutorial institutions with its own Special Secretariat and prescribed the appointment, duties, status and staffing of their secretarial personnel. [1–3]

The law authorized up to sixteen secretarial officers for the Special Tribunal’s Secretariat and up to nine for the Special Prosecution Department. The National Institute of Korean History records that the five-article organizational bill was enacted without revision. Law No. 55 repealed this organizational statute, together with the separate law governing the Special Investigation Committee’s investigative agencies, on 4 October 1949. The repeal text is presented separately in Part II. [1, 3–4]

EDITORIAL SCOPE The Korean text retains the mixed-script wording of the cited reproduction. The translation distinguishes the enacted 1948 text from the separate 1949 repeal law.

Part i / enacted statute, 1948

The five articles

Parallel historical Korean text and English translation · Law No. 15 (1948)

This text follows the full five-article version printed in Part I of Minjok Jeonggi-ui Simpan and available in the Wikisource transcription. The law’s existence, date, subject matter, staff limits and repeal were independently cross-checked against government and historical databases. [1–3]

Article 1 / establishment of special secretariats

제1조 反民族行爲特別裁判部 및 特別檢察部의 附屬機關으로 각각 特別書記局을 둔다.	Article 1. A Special Secretariat shall be established as an attached agency of each of the Special Tribunal for Anti-National Acts and the Special Prosecution Department.

Article 2 / directors and administration

제2조 각 局에 局長을 둔다. 局長은 大法院 書記局長 또는 大檢察廳 書記局長과 동일한 대우와 보수를 받는다. 局長은 特別裁判部 部長 또는 特別檢察官長의 命을 받아 각 部의 事務를 처리한다.	Article 2. Each Secretariat shall have a Director. A Director shall receive the same treatment and remuneration as the Director of the Secretariat of the Supreme Court or the Director of the Secretariat of the Supreme Public Prosecutors’ Office, as applicable. A Director shall conduct the affairs of the respective institution under the orders of the Head of the Special Tribunal or the Chief Special Prosecutor.

Article 3 / staffing and official status

제3조 特別裁判部 書記局에 16명 이내의 書記官을, 特別檢察部에 9명 이내의 書記官을 둔다. 書記官은 大法院 또는 大檢察廳 書記官과 동일한 대우와 보수를 받으며 동일한 직무와 권한을 갖는다.	Article 3. The Secretariat of the Special Tribunal shall have no more than sixteen secretarial officers, and the Special Prosecution Department shall have no more than nine secretarial officers. Secretarial officers shall receive the same treatment and remuneration as, and shall have the same duties and powers as, secretarial officers of the Supreme Court or the Supreme Public Prosecutors’ Office, as applicable.

Article 4 / appointment and removal

제4조 特別裁判部 所屬 書記局長 및 書記官은 特別裁判部 部長이 此를 任免한다. 特別檢察部 所屬 書記局長 및 書記官은 特別檢察官長이 此를 任免한다.	Article 4. The Head of the Special Tribunal shall appoint and remove the Director and secretarial officers of the Secretariat attached to the Special Tribunal. The Chief Special Prosecutor shall appoint and remove the Director and secretarial officers of the Secretariat attached to the Special Prosecution Department.

Article 5 / commencement

제5조 본 法은 公布한 날로부터 시행한다.	Article 5. This Act shall enter into force on the date of its promulgation.

Part ii / repeal, 1949

The subsequent repeal

Separate enactment · Law No. 55, 4 October 1949

The original five-article statute was repealed by Law No. 55 of 4 October 1949. The repeal enactment also abolished Law No. 14, which had organized the special investigative agencies. The text reproduced here is the repeal instrument, not an additional article or later version of Law No. 15. [1, 4]

Law no. 55 / repeal clause

법률 제55호, 반민족행위특별조사기관조직법 及 반민족행위특별재판부 부속기관조직법 폐지에 관한 법률 반민족행위특별조사기관조직법과 반민족행위특별재판부 부속기관조직법은 폐지한다.	Law No. 55, Act on the Repeal of the Act on the Organization of Special Investigation Agencies for Anti-National Acts and the Act on the Organization of Attached Agencies of the Special Tribunal. The Act on the Organization of Special Investigation Agencies for Anti-National Acts and the Act on the Organization of Attached Agencies of the Special Tribunal are hereby repealed.

Law no. 55 / supplementary provision

부칙 본 법은 공포한 날로부터 시행한다.	Supplementary Provision. This Act shall enter into force on the date of its promulgation.

Textual and institutional notes

01 Article structure. Law No. 15 contains five numbered articles; the entry-into-force provision is Article 5 itself. There is no separately numbered or headed supplementary provision in the cited 1948 reproduction. [2]

02 Two different institutions. The Special Tribunal (特別裁判部) and Special Prosecution Department (特別檢察部) were distinct adjudicative and prosecutorial bodies. The organizational statute gave each its own Special Secretariat; it did not establish a single unified office. [1–3]

03 The term 書記官. “Secretarial officer” is used for 書記官, denoting an official whose position and powers were explicitly matched with those of comparable Supreme Court or Supreme Public Prosecutors’ Office staff. It is not equated here with an ordinary private secretary. [2]

04 Authorized staffing ceilings. Article 3 fixes maximum numbers of secretarial officers: sixteen for

the Tribunal and nine for the prosecution body. These are upper limits, not evidence that all twenty-five positions were filled. The wording of Article 3 distinguishes the Tribunal's Secretariat from the prosecution body itself. [1–2]

05 Appointment authority. Article 4 vests appointment and removal authority in the heads of the respective institutions. The text does not expressly provide a joint appointment procedure. [2]

06 Legislative passage and repeal. The National Institute of Korean History records that the five-article bill was passed without alteration. The 1949 repeal instrument expressly abolished both this Act (Law No. 15) and the separate Law No. 14. [3–4]

Sources and textual basis

[1] Republic of Korea, "반민족행위특별재판부부속기관조직법" [Act on the Organization of Attached Agencies of the Special Tribunal], Law No. 15 (7 December 1948), enactment and repeal history, National Law Information Center, https://law.go.kr/LSW/lsRvsRsnListP.do?chrClsCd=010202&lsId=001304&lsRvsGubun=all; original-law record: https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=2680.

[2] "反民族行爲特別裁判部附屬機關組織法," in Minjok Jeonggi-ui Simpan (민족정기의 심판), part 1, period-script legal-text reproduction, transcribed at Korean Wikisource, https://ko.wikisource.org/wiki/민족정기의_심판/제1부. The mixed-script Korean witness used for the facing text derives from this reproduction; it was not taken from a directly examined 1948 Gazette facsimile.

[3] National Institute of Korean History, Constitutional History Materials Database, legislative history of Law No. 15, section "관련 조직법 등의 정비," https://db.history.go.kr/item/cons/level.do?levelId=cons_001_0020_0020_0030_0020_0050.

[4] Republic of Korea, "반민족행위특별조사기관조직법 及 반민족행위특별재판부 부속기관조직법 폐지에 관한 법률," Law No. 55 (4 October 1949), transcribed from Official Gazette special issue, National Institute of Korean History, 자료대한민국사, vol. 14, https://db.history.go.kr/contemp/level.do?levelId=dh_014_1949_10_04_0020&types=o.

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