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Decree on the Transfer of South Korean Interim Government Agencies

남조선과도정부기구인수에관한건

Republic of Korea · 13 September 1948

Original Korean source · English translation, Gwangbok Archive

PRESIDENTIAL DECREE NO. 3 · 13 SEPTEMBER 1948

Source details

Original legal title
: 남조선과도정부기구인수에관한건

English editorial title
: Decree on the Transfer of South Korean Interim Government Agencies

Enactment
: Presidential Decree No. 3 · 13 September 1948

Entry into force
: 13 September 1948 (on promulgation)

Official publication
: Government Gazette (관보), No. 3 · 13 September 1948

Issuing authority
: President of the Republic of Korea

Extent
: 3 articles; 15 numbered allocations in Article 1; 1 supplementary provision

Textual basis
: National Law Information Center original-enactment text (lsiSeq = 16295)

Archival record
: National Archives of Korea, presidential record AA0002211

Historical introduction

On 13 September 1948, the Republic of Korea promulgated Presidential Decree No. 3 to provide for its assumption of governmental agencies from the South Korean Interim Government. Article 1 distributes the predecessor administration’s departments, offices, committees, and subordinate bodies among eleven ministries and four executive offices. Its fifteen allocations make the Decree unusually informative about the institutional structure inherited by the new state.

The arrangements were expressly provisional: Article 2 states that the functions of the receiving agencies were subject to subsequent determination under the relevant organizational regulations. Article 3 separately assigns the predecessor courts and their subordinate institutions to the Republic of Korea’s Supreme Court. The Decree thus records a transfer of existing administrative machinery,

not simply the creation of new ministries. The Supreme Court identifies 13 September 1948 as the date on which the judicial handover occurred.

Text and translation policy

This edition preserves the wording, mixed Hanja, historic spelling, and numbering in the 1948 original-enactment text supplied by the National Law Information Center. It has been checked against the National Institute of Korean History's transcript of Government Gazette No. 3. English institutional names are descriptive editorial renderings of the 1948 offices, not claims that these were their official English titles. The original Gazette facsimile and the National Archives' eight-page record have not been compared character by character.

Primary source / facing translation

Original Korean and English Translation

Presidential Decree No. 3 · 13 September 1948 · Government Gazette No. 3

Original 1948 wording retained. English is an independent editorial translation, not an official legal version.

제1조 대한민국정부는 남조선과도정부(以下 過渡政府라 稱함)의 제기구를 좌에 의하여 인수한다.	ARTICLE 1 The Government of the Republic of Korea shall take over the various agencies of the South Korean Interim Government (hereinafter referred to as the "Interim Government") as set forth below.
1. 내무부는 과도정부경무부, 토목부, 중앙선거위원회, 중앙소방위원회와 그 소속기관을 인수한다.	1. The Ministry of Home Affairs shall take over the Interim Government's Department of Police, Department of Public Works, Central Election Committee, Central Fire Services Committee, and their subordinate agencies.
2. 외무부는 과도정부외무처와 그 소속기관을 인수한다.	2. The Ministry of Foreign Affairs shall take over the Interim Government's Office of Foreign Affairs and its subordinate agencies.
3. 국방부는 과도정부 통위부와 그 소속기관을 인수한다.	3. The Ministry of National Defense shall take over the Interim Government's Department of Internal Security (Tongwibu) and its subordinate agencies.
4. 재무부는 과도정부재무부(司計局을 除外)와 그 소속기관을 인수한다.	4. The Ministry of Finance shall take over the Interim Government's Department of Finance (excluding its Budget and Accounts Bureau) and its subordinate agencies.

5. 법무부는 과도정부사법부(法律起草局과 法律調査局을 除外)와 그 소속기관을 인수한다.	5. The Ministry of Justice shall take over the Interim Government's Department of Justice (excluding the Legislative Drafting Bureau and the Legal Research Bureau) and its subordinate agencies.
6. 문교부는 과도정부문교부, 기술교육위원회와 그 소속기관을 인수한다.	6. The Ministry of Education shall take over the Interim Government's Department of Education, Technical Education Committee, and their subordinate agencies.
7. 농림부는 과도정부농무부(水産局을 除外) 중앙토지행정처, 중앙식량 행정처, 보건후생부, 수의국, 농사개량원과 그 소속기관을 인수한다.	7. The Ministry of Agriculture and Forestry shall take over the Interim Government's Department of Agriculture (excluding the Fisheries Bureau), Central Land Administration Office, Central Food Administration Office, Department of Health and Welfare, Veterinary Bureau, Agricultural Improvement Institute, and their subordinate agencies.
8. 상공부는 과도정부상공부, 농무부 수산국 과 그 소속기관을 인수한다.	8. The Ministry of Commerce and Industry shall take over the Interim Government's Department of Commerce and Industry, the Fisheries Bureau of the Department of Agriculture, and their subordinate agencies.
9. 사회부는 과도정부노동부, 보건후생부(獸醫局을 除外)와 그 소속기관을 인수한다.	9. The Ministry of Social Affairs shall take over the Interim Government's Department of Labor, Department of Health and Welfare (excluding the Veterinary Bureau), and their subordinate agencies.
10. 교통부는 과도정부운수부와 그 소속기관을 인수한다.	10. The Ministry of Transportation shall take over the Interim Government's Department of Transportation and its subordinate agencies.
11. 체신부는 과도정부체신부와 그 소속기관을 인수한다.	11. The Ministry of Communications shall take over the Interim Government's Department of Posts and Communications and its subordinate agencies.

12. 총무처는 과도정부군정장관비서실, 민정장관실, 인사행정처, 서무처(統計局을 除外)와 그 소속기관 및 기타소속이 명확치 아니한 과도정부소속기관을 인수한다.	12. The Office of General Administration shall take over the Interim Government's Secretariat of the Military Governor, Office of the Civil Administrator, Personnel Administration Office, Department of General Affairs (excluding the Statistics Bureau), and their subordinate agencies, as well as any other agencies of the Interim Government whose affiliation is not clearly determined.
13. 공보처는 과도정부공보부, 서무처 통계국, 조선방송협회와 그 소속기관을 인수한다.	13. The Office of Public Information shall take over the Interim Government's Department of Public Information, the Statistics Bureau of the Department of General Affairs, the Chosŏn Broadcasting Association, and their subordinate agencies.
14. 법제처는 과도정부사법부법률기초국, 법률조사국, 서무처도서관과 그 소속기관을 인수한다.	14. The Office of Legislation shall take over the Interim Government's Legislative Drafting Bureau and Legal Research Bureau of the Department of Justice, the Library of the Department of General Affairs, and their subordinate agencies.
15. 기획처는 과도정부중앙경제위원회, 재무부사계국, 관재처와 그 소속기관을 인수한다.	15. The Office of Planning shall take over the Interim Government's Central Economic Committee, the Budget and Accounts Bureau of the Department of Finance, the Property Administration Office, and their subordinate agencies.
제2조 전조의 인수에 의한 각기관의 직무는 직제에 의하야 각부처의 직무범위가 확정될때까지의 잠정적인 것으로 한다.	ARTICLE 2 The functions of each agency resulting from the takeover prescribed in the preceding Article shall be provisional until the scope of duties of each ministry and office is determined under its organizational regulations.
제3조 대한민국대법원은 과도정부법원과 그 소속기관을 인수한다.	ARTICLE 3 The Supreme Court of the Republic of Korea shall take over the Interim Government's courts and their subordinate agencies.
부칙 <대통령령 제3호, 1948. 9. 13.> 본 영은 공포한 날로부터 시행한다.	SUPPLEMENTARY PROVISION (Presidential Decree No. 3, 13 September 1948) This Decree shall enter into force on the date of its promulgation.

Editorial apparatus

Notes and Sources

Editorial and translation notes

1. Enactment and transmission. This is the original decree of 13 September 1948, Presidential Decree No. 3. The National Institute of Korean History identifies Government Gazette (관보), no. 3 (13 September 1948) as its printed source; the National Law Information Center records enactment and commencement on that date.

2. Title and documentary genre. The original statutory database title is 남조선과도정부기구인수에관한건, literally a “matter concerning the takeover of the agencies of the South Korean Interim Government.” The English editorial title uses “Transfer” for readability; the operative verb 인수 is consistently translated “take over.” The expanded Korean form with 의 found in some archival catalogues is a title variant, not the statutory transcription followed here.

3. The South Korean Interim Government. 남조선과도정부 is rendered “South Korean Interim Government,” an administration preceding the new Republic of Korea. The translation does not equate that name with the Korean Provisional Government in exile.

4. Temporary allocation of administrative authority. Article 1 assigns receiving ministries and offices; Article 2 explicitly provides that resulting functions remain provisional until institutional competences are defined by organizational regulations. The Decree is not a comprehensive statement of the final administrative jurisdictions.

5. Internal Security Department. 통위부 (統衛部) is rendered “Department of Internal Security (Tongwibu).” The Korean name and transliteration are retained to distinguish this predecessor from the receiving Ministry of National Defense; this English phrase is an editorial designation rather than a quoted 1948 official translation.

6. Excluded bureaus and redistribution. Articles 1(4), 1(5), 1(12) and 1(14)–(15) expressly exclude specified bureaus from a larger departmental takeover and reassign them elsewhere. Those exclusions have been retained, including the Budget and Accounts Bureau (司計局), Legislative Drafting Bureau (法律起草局), Legal Research Bureau (法律調査局), and Statistics Bureau (統計局).

7. Overlapping Health and Welfare reference. In both the National Law Information Center and the National Institute of Korean History transcriptions, Article 1(7) lists 보건후생부 and 수의국, while Article 1(9) assigns 보건후생부 to the Ministry of Social Affairs with 수의국 expressly excluded. As written, the two allocations appear to overlap. The English mirrors the enumerated source text without emending it; an early Gazette facsimile must be checked before deciding whether this reflects an original textual defect or later transcription/punctuation.

8. Law-drafting terminology. 法律起草局 (법률기초국) uses 起草 (“drafting”), not 基礎 (“foundation”), and is translated “Legislative Drafting Bureau.” 법제처 is rendered “Office of Legislation” rather than assuming continuity with a later English institutional name.

9. Finance and property. 司計局 is rendered “Budget and Accounts Bureau” to signal its historical budgeting/accounting role; 관재처 is rendered “Property Administration Office.” These are explanatory translations, not independently verified contemporaneous English office titles.

10. Courts and transfer of judicial administration. Article 3 assigns the predecessor courts to the Supreme Court of the Republic of Korea separately from the executive transfers in Article 1. The

Supreme Court's historical account dates the administrative judicial handover to 13 September 1948.

11. Original spelling and typography. Historical Korean spellings, Hanja, and non-standard spacing —including 의하야 in Article 2 and the spacing before 과 in Article 1(8)—are retained from the National Law Information Center transcription. Punctuation and institutional naming should not be mistaken for modernized legal usage.

12. Source witnesses and remaining check. The National Law Information Center original-enactment text has been compared with the National Institute of Korean History transcription. The National Archives lists a related eight-page presidential record (AA0002211). The original Gazette print and eight-page archival record were identified but not inspected as facsimiles for this edition; independent bilingual proofreading is recommended before definitive publication.

13. Archival date inconsistency. The National Archives catalogue displays a timeline heading referring to 16 August 1948, while its record description expressly states promulgation as Presidential Decree No. 3 on 13 September 1948. The Gazette and statutory databases independently support 13 September, which is used throughout this edition.

14. Counting of receiving agencies. The fifteen numbered recipients comprise eleven offices styled 부 (ministries or departments) in items 1–11 and four styled 처 (executive offices) in items 12–15. The National Archives summary describes them as "ten ministries and five offices," which does not match the legal text's institutional suffixes. The actual numbering, not the catalogue summary, is followed here.

Primary-source references

Republic of Korea. "남조선과도정부기구인수에관한건" [Decree on the Transfer of South Korean Interim Government Agencies]. Presidential Decree No. 3, September 13, 1948. Original enactment. National Law Information Center, https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=16295&viewCls=lsRvsDocInfoR.

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Supreme Court of Korea. "9월 13일 '대한민국 법원의 날'을 아시나요?" historical account of the judicial handover, https://www.scourt.go.kr/portal/gongbo/PeoplePopupView.work?gubun=22&seqNum=1854.

Suggested citation

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