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State Public Officials Act

국가공무원법

Republic of Korea · 12 August 1949

Original Korean source · English translation, Gwangbok Archive

ACT NO. 44 · 12 AUGUST 1949

Source details

Original title
: 국가공무원법

Enactment
: Act No. 44, 12 August 1949

Effective date
: 12 August 1949 (upon promulgation)

Issuing authority
: Republic of Korea; promulgated by the President

Extent
: 7 chapters, 53 articles, and 3 articles of supplementary provisions

Textual basis
: Original 1949 enactment as recorded by the National Law Information Center; checked against the Korean Wikisource transcription

Subject
: Classification, appointment, examinations, pay, duties, security of tenure, and discipline of state public officials

Historical introduction

The State Public Officials Act was the first general civil-service law of the Republic of Korea. It divided officials into special service and general service, created five salary grades, required appointment by examination or screening, and laid down duties of obedience, secrecy, impartiality, and political neutrality, together with guarantees of tenure and a disciplinary system.

Two provisions speak directly to the circumstances of 1949. Article 5 allowed persons of good repute who had contributed to the independence movement to be appointed by special screening. Article 55 required every official already in office, many of whom had served under the colonial government or the occupation, to pass an examination or screening within a year or be retired.

Text and editorial practice

The Korean text below is the original enactment as recorded by the National Law Information Center (국가법령정보센터), in the hangul-normalized form in which that database presents it, and it was checked character by character against the independent transcription on Korean Wikisource.

The English follows the article and paragraph structure of the Korean one to one, without substituting later amended law.

Nothing has been silently corrected. Where the Korean as transmitted contains an evident misprint, a missing word, or an irregular construction, the Korean is left as it stands, the English gives the most probable sense with the printed form in square brackets, and the point is explained in the notes. Square brackets in the English otherwise give transliterations of Korean terms whose institutional meaning does not map neatly onto an English equivalent. Dates in the Tangun era (단기) are kept, with the Common Era year in brackets.

Primary source / facing translation

Original Korean and English Translation

Act No. 44 · 12 August 1949

제1장 총칙	CHAPTER I. GENERAL PROVISIONS
제1조 본법은 국가공무원(以下 “公務員”이라 稱한다)에 적용할 근본기준을 확립하여 인사행정의 공정을 기함과 동시에 공무원으로 하여금 국민전체의 봉사자로서 최대의 능률을 발휘케함을 목적으로 한다.	ARTICLE 1 The purpose of this Act is to establish the fundamental standards applicable to state public officials (hereinafter called “public officials”), so as to ensure fairness in personnel administration and at the same time to enable public officials to exercise the greatest efficiency as servants of the whole people.
제2조 본법의 규정은 본법, 기타법률에 특별한 규정이 없는 한 별정직공무원에 적용하지 아니한다.	ARTICLE 2 Unless this Act or another law makes special provision, the provisions of this Act shall not apply to public officials in special service.
제3조 공무원은 이를 별정직과 일반직으로 나눈다. 좌의 각호의 1에 해당하는 공무원은 별정직으로 한다. 1. 선거에 의하거나 또는 임명에 관하여 국회의 승인을 요하는 공무원 2. 국무위원, 각처장, 각부차관 3. 대사, 공사 4. 법관, 교원, 비서, 군인, 군속, 기타법률로써 별정직으로 지정된 공무원 5. 단순한 노무에 종사하는 공무원 일반직은 별정직을 제외한 모든 공무원을 말한다.	ARTICLE 3 Public officials shall be divided into special service and general service. Public officials falling under any of the following items shall be in special service: 1. Public officials chosen by election, or whose appointment requires the approval of the National Assembly. 2. Members of the State Council, heads of the offices [ch’ŏ], and vice-ministers of the ministries. 3. Ambassadors and ministers. 4. Judges, teachers, secretaries, military personnel, civilian employees of the military, and other public officials designated as special service by law. 5. Public officials engaged in simple labor. General service means all public officials other than those in special service.

제4조
본법의 공정한 운영을 위하여 국무총리는 행정각기관에 대하여 인사에 관한 기록의 보고를 받을 수 있으며 사무감사를 할 수 있다.

ARTICLE 4
For the fair operation of this Act, the Prime Minister may receive reports of personnel records from each administrative agency and may conduct audits of their affairs.

제2장 임명과 고시 CHAPTER II. APPOINTMENT AND EXAMINATIONS

제5조
공무원의 임명은 고시성적 또는 전형성적에 의하여 이를 행하여야 한다.
독립운동에공헌이 있는 자로서 덕망이 있는 자를 공무원에 임명할 때에는 특별전형에 의하여 행할 수 있다.

ARTICLE 5
Public officials shall be appointed on the basis of their results in examinations [kosi] or in screening [chŏnhyŏng].
When persons of good repute who have contributed to the independence movement are appointed as public officials, the appointment may be made by special screening.

제6조
공무원의 자격은 고시 또는 전형에 의하여 인정한다.
고시 또는 전형에 관하여 필요한 사항은 본법에 규정하는 바를 제한 외에는 따로히 대통령령으로 정한다.

ARTICLE 6
The qualifications of public officials shall be recognized by examination or screening.
Matters necessary concerning examinations or screening shall, except as prescribed in this Act, be prescribed separately by Presidential Decree.

제7조
공무원의 임명에 있어 고시합격자가 있을 때에는 전형임명을 할 수 없다. 단 기술계공무원은 예외로 한다.

ARTICLE 7
In appointing public officials, appointment by screening may not be made when there are successful examination candidates. However, technical public officials are excepted.

제8조
좌의 각호의 1에 해당한 자는 공무원에 임명될 자격이 없다.
1. 금치산자와 준금치산자
2. 파산자로서 복권되지 아니한 자
3. 금고이상의 형을 받고 그 집행이 종료되거나 또는 집행을 받지 아니하기로 확정된 후 3년을 경과하지 아니한 자
4. 징계면직의 처분을 받은 때로부터 2년을 경과하지 아니한 자
5. 1급공무원은 대통령이 직접임명한다.

ARTICLE 8
Persons falling under any of the following items are not qualified to be appointed as public officials:
1. Incompetents and quasi-incompetents.
2. Bankrupts who have not been rehabilitated.
3. Persons sentenced to imprisonment or a heavier penalty for whom three years have not elapsed since the execution of the sentence ended or since it was finally decided that the sentence would not be executed.
4. Persons for whom two years have not elapsed since they received the disposition of disciplinary dismissal.
5. Grade 1 public officials shall be appointed by the President directly. [As printed: this item repeats Article 11 and does not state a ground of disqualification.]

제9조
공무원의 임명은 법률 또는 대통령령의 정하는 바에 의하여 임명권자가 행한다.
임명권자는 법률 또는 대통령령의 정하는 바에 의하여 그 임명권을 하급기관에 위임할 수 있다.

ARTICLE 9
Public officials shall be appointed by the appointing authority as prescribed by law or Presidential Decree.
The appointing authority may delegate its power of appointment to lower agencies as prescribed by law or Presidential Decree.

제10조
공무원은 봉급에 의하여 1급, 2급, 3급, 4급, 5급공무원으로 구별하며 대통령은 본법 기타법률의 범위내에서 이를 직종별로 구별할 수있다.

ARTICLE 10
Public officials shall be classified by salary into Grade 1, Grade 2, Grade 3, Grade 4, and Grade 5 public officials, and the President may classify them by occupational category within the scope of this Act and other laws.

제11조
1급공무원은 대통령이 직접임명한다.

ARTICLE 11
Grade 1 public officials shall be appointed by the President directly.

제12조
2급공무원은 좌의 1에 해당한 자 중에서 소속장관의 제청으로 국무총리를 경유하여 대통령이 임명한다. 단, 제2호에 해당되는 자는 고시위원회의 전형을 경하여야 한다.
1. 3급공무원으로서 2년이상 근무한 자
2. 그 직무에 필요한 특별한 학식기술 또는 경험이 있는 자

ARTICLE 12
Grade 2 public officials shall be appointed by the President, through the Prime Minister, on the recommendation of the competent minister, from among persons falling under either of the following items. However, persons falling under item 2 shall pass screening by the Examination Commission.
1. Grade 3 public officials who have served for two years or more.
2. Persons with special learning, technical skill, or experience necessary for the duties.

제13조
3급공무원은 고시위원회에서 시행하는 고등고시 또는 전형에 합격한 자 중에서 소속장관의 제청으로 국무총리를 경유하여 대통령이 임명한다.

ARTICLE 13
Grade 3 public officials shall be appointed by the President, through the Prime Minister, on the recommendation of the competent minister, from among persons who have passed the higher civil-service examination or screening conducted by the Examination Commission.

제14조
소속장관이 국무총리를 경유하여 3급공무원의 전형을 고시위원회에 요구할 때에는 좌의 1에 해당한 자 중에서 행하여야 한다.
1. 전문학교이상 또는 문교부장관이 인정하는 동등이상의 학교를 졸업하고 3년이상 행정기관에 근무한 자
2. 4급공무원으로서 5년이상 근무한 자
3. 그 직무에 필요한 특별한 학식, 기술 또는 경험이 있는 자

ARTICLE 14
When the competent minister, through the Prime Minister, requests the Examination Commission to screen candidates for Grade 3, the screening shall be made from among persons falling under any of the following items:
1. Persons who have graduated from a professional school [chŏnmun hakkyo] or higher, or from a school recognized by the Minister of Education as equivalent or higher, and who have served in an administrative agency for three years or more.
2. Grade 4 public officials who have served for five years or more.
3. Persons with special learning, technical skill, or experience necessary for the duties.

제15조
4급공무원은 좌의 1에 해당한 자 중에서 국무총리, 각부장관, 각처장, 서울시장, 도지사 기타 임명권자가 임명한다.
1. 고시위원회에서 시행하는 고등고시에 합격한 자
2. 고시위원회에서 시행하는 보통고시에 합격한 자
3. 전문학교이상 또는 문교부장관이 인정하는 동등이상의 학교를 졸업한 자
4. 중등학교이상을 졸업하거나 문교부장관이 동등이상의 학력을 가진 것으로 인정하는 시험에 합격한 자로서 행정기관에서 2년이상 근무한 자
5. 5급공무원으로서 5년이상 근무한 자
6. 직무에 필요한 특별한 학식, 기술 또는 경험이 있는 자
전항제3호 내지 제6호에 해당된 자는 고시위원회의 전형을 경하여야 한다.

ARTICLE 15
Grade 4 public officials shall be appointed by the Prime Minister, the ministers of the ministries, the heads of the offices, the Mayor of Seoul, Provincial Governors, or other appointing authorities, from among persons falling under any of the following items:
1. Persons who have passed the higher civil-service examination conducted by the Examination Commission.
2. Persons who have passed the ordinary civil-service examination conducted by the Examination Commission.
3. Persons who have graduated from a professional school or higher, or from a school recognized by the Minister of Education as equivalent or higher.
4. Persons who have graduated from a secondary school or higher, or passed an examination recognized by the Minister of Education as showing equivalent or higher attainment, and who have served in an administrative agency for two years or more.
5. Grade 5 public officials who have served for five years or more.
6. Persons with special learning, technical skill, or experience necessary for the duties.
Persons falling under items 3 to 6 of the preceding paragraph shall pass screening by the Examination Commission.

제16조
5급공무원은 국무총리, 각부장관, 각처장, 서울시장, 도지사 기타 임명권자가 각종고시에 합격된 자 또는 5급공무원자격이 있다고 인정되는 자 중에서 임명한다.

ARTICLE 16
Grade 5 public officials shall be appointed by the Prime Minister, the ministers of the ministries, the heads of the offices, the Mayor of Seoul, Provincial Governors, or other appointing authorities, from among persons who have passed any of the examinations or who are recognized as having the qualifications of a Grade 5 public official.

제17조
대통령은 행정기관의 공무원의 종류와 정원을 정할 때에는 반드시 본장에 의한 급별을 지정하여야 한다.

ARTICLE 17
When the President fixes the kinds and authorized numbers of public officials of administrative agencies, he shall designate their grades under this Chapter.

제18조
고시는 직무수행에 필요한 능력을 검정하는 것을 목적으로 하되 응시에 필요한 자격은 대통령령의 정하는 바에 의한다.

ARTICLE 18
Examinations shall have as their purpose the testing of the ability necessary for the performance of duties; the qualifications needed to sit them shall be as prescribed by Presidential Decree.

제19조
고시는 동일한 자격을 가진 모든 국민에게 평등하게 공개하여야 하며 고시의 시기와 장소는 국내응시자가 응시할 수 있도록 하여야 한다.

ARTICLE 19
Examinations shall be open equally to all nationals holding the same qualifications, and their times and places shall be such that candidates within the country can sit them.

제20조
고시시행에 관한 사항은 상세히 공고하여야 한다.

ARTICLE 20
Matters concerning the conduct of examinations shall be publicly announced in detail.

제21조
누구든지 고시전형 또는 인사기록에 있어서 부정한 채점, 기재증명과 진술을 하여서는 아니 된다.

ARTICLE 21
No person shall make improper marking, entries, certifications, or statements in examinations, screening, or personnel records.

제3장 보수

CHAPTER III. REMUNERATION

제22조
공무원의 보수는 전장의 급별에 의하여 그 직무와 책임에 적응하도록 대통령령으로써 정하여야 한다.
별정직에 속하는 공무원의 보수는 따로히 법률이 정하는 외에는 대통령령으로 정한다.

ARTICLE 22
The remuneration of public officials shall be prescribed by Presidential Decree according to the grades of the preceding Chapter, so as to correspond to their duties and responsibilities.
The remuneration of public officials in special service shall be prescribed by Presidential Decree, except as separately prescribed by law.

제23조
보수에 관한 규정에는 일반생활비, 민간의 임금기타사정을 고려하여야 한다.

ARTICLE 23
Regulations on remuneration shall take into account general living costs, private-sector wages, and other circumstances.

제24조
보수에 관한 규정에는 좌의 사항을 정하여야 한다.
1. 봉급의 승진기준에 관한 사항
2. 연공가급에 관한 사항
3. 기술공무원에 대한 특별급여에 관한 사항
4. 근무성적이 우량한 자에 대한 특별급여에 관한 사항
5. 시간외근무, 야간근무, 휴일근무, 특수근무, 특수지근무 또는 위험근무에 대한 수당에 관한 사항
6. 상시근무를 필요로 하지 아니하는 직무 또는 생활에 필요한 시설의 전부 또는 일부를 관급하는 직무등 기타 특수한 근무조건에 관한 사항

ARTICLE 24
Regulations on remuneration shall prescribe the following matters:
1. Matters concerning standards for salary increases.
2. Matters concerning seniority increments.
3. Matters concerning special pay for technical public officials.
4. Matters concerning special pay for persons with excellent service records.
5. Matters concerning allowances for overtime work, night work, holiday work, special duties, duty in special areas, or hazardous duty.
6. Matters concerning other special conditions of service, such as duties that do not require full-time attendance, or duties for which the government supplies all or part of the facilities necessary for living.

제25조
공무원은 보수를 받는 외에 가족수당을 받는다.
가족수당의 지급액과 범위는 대통령령으로 정하되 적어도 최저생활은 확보되어야 한다.

ARTICLE 25
In addition to remuneration, public officials shall receive a family allowance.
The amount and scope of the family allowance shall be prescribed by Presidential Decree, but at least a minimum standard of living shall be secured.

제26조
공무원이 공무로 인하여 질병, 부상 또는 사망하였을 때에는 본인 또는 그 부양가족에 대한 보상제도는 따로 대통령령으로써 정한다.

ARTICLE 26
The system of compensation for a public official, or for his dependants, when he falls ill, is injured, or dies because of official duties, shall be prescribed separately by Presidential Decree.

제27조
공무원으로서 상당한 년한 성실히 근무하여 퇴직하였거나 공무로 인한 부상 또는 질병으로 퇴직 또는 사망하였을 때에는 법률의 정하는 바에 의하여 연금을 지급한다.

ARTICLE 27
When a public official retires after faithful service for a considerable number of years, or retires or dies because of injury or illness resulting from official duties, a pension shall be paid as prescribed by law.

제4장 복무

CHAPTER IV. SERVICE

제28조
모든 공무원은 전력을 다하여 직무를 수행하며 성실히 법령을 준수하여야 한다.

ARTICLE 28
Every public official shall perform his duties with all his strength and shall faithfully observe laws and ordinances.

제29조
공무원은 소속장관의 직무상의 명령에 복종하여야 한다. 단 의견을 진술할 수 있다.

ARTICLE 29
Public officials shall obey the official orders of the competent minister. However, they may state their opinions.

제30조
공무원은 국민전체의 봉사자로서 친절공정히 집무하여야 한다.

ARTICLE 30
Public officials, as servants of the whole people, shall perform their duties courteously and fairly.

제31조
공무원은 재직중은 물론 퇴직 후라도 직무상의 비밀을 엄수하여야 한다.
법원 기타 법률상 권한을 가진 관청의 증인 또는 감정인이 되어 직무상비밀에 대하여 신문을 받을 때에는 소속장관의 허가를 받은 사항에 한하여 진술할 수 있다.

ARTICLE 31
Public officials shall strictly keep official secrets, both while in office and after leaving it.
When examined as a witness or expert witness concerning official secrets by a court or another authority having legal power, they may testify only on matters for which they have obtained the permission of the competent minister.

제32조
공무원은 소속장관의 허가없이는 명의의 여하를 불문하고 직무에 관하여 직접 또는 간접의 사례, 혹은 증여를 받을 수 없다.

ARTICLE 32
Public officials may not, without the permission of the competent minister, receive any direct or indirect reward or gift in connection with their duties, under whatever name.

제33조
공무원으로서 외국정부로 부터 영예 또는 증여를 받을 경우에는 대통령의 허가를 얻어야 한다.

ARTICLE 33
A public official who is to receive an honor or gift from a foreign government shall obtain the permission of the President.

제34조
공무원은 그 직무에 관계있는 청부업자, 물품조달자, 기타계약자로 부터 증여 또는 향응을 받을 수 없다

ARTICLE 34
Public officials may not receive gifts or entertainment from contractors, suppliers of goods, or other parties to contracts related to their duties.

제35조
공무원은 직무상의 관계여하를 불문하고 소속공무원으로 부터 증여를 받아서는 아니된다.

ARTICLE 35
Public officials shall not receive gifts from public officials under them, whatever the official relationship.

제36조
공무원은 영리를 목적으로 하는 업무에 종사하지 못하며 소속장관의 허가없이 다른 직무를 겸할 수 없다.

ARTICLE 36
Public officials may not engage in business for profit, and may not hold another post concurrently without the permission of the competent minister.

제37조
공무원은 정치운동에 참여하지 못하며 공무이외의 일을 위한 집단적 행동을 하여서는 아니 된다.

ARTICLE 37
Public officials may not take part in political movements and shall not engage in collective action for purposes other than official duties.

제38조
공무원의 근무조건 기타 복무에 관하여 필요한 사항은 대통령령으로써 정한다.

ARTICLE 38
Matters necessary concerning the conditions of work and other aspects of the service of public officials shall be prescribed by Presidential Decree.

제5장 신분보장 CHAPTER V. GUARANTEE OF STATUS

제39조
공무원은 형의 선고, 징계처분 또는 본법에 정하는 사유에 의하지 아니하고는 그 의사에 반하여 휴직·정직 또는 면직을 당하지 아니한다.

ARTICLE 39
Public officials shall not be placed on leave of absence, suspended, or dismissed against their will except by sentence of a court, by disciplinary disposition, or on grounds prescribed in this Act.

제40조
공무원이 제8조각호의1에 해당하게 될 때에는 당연퇴직된다.

ARTICLE 40
When a public official comes to fall under any item of Article 8, he shall be retired by operation of law.

제41조
공무원으로서 좌의 각호의 1에 해당할 때에는 임명권자는 면직시킬 수 있다.
1. 신체정신상의 고장으로 직무를 감당치 못할만한 지장이 있을 때
2. 근무성적이 극히 불량할 때
3. 정부를 파괴함을 목적으로 하는 단체에 가입하거나 또는 이를 방조한 때
전항제2호 및 제3호의 규정에 의하여 면직시킬 경우에는 제46조의 규정에 의한 징계위원회의 의결을 거쳐야 한다.

ARTICLE 41
When a public official falls under any of the following items, the appointing authority may dismiss him:
1. When a physical or mental disorder prevents him from bearing his duties.
2. When his service record is extremely poor.
3. When he joins or aids an organization whose purpose is to destroy the government.
Dismissal under items 2 and 3 of the preceding paragraph shall be subject to a resolution of the disciplinary committee under Article 46 [as printed; the disciplinary committees are constituted in Article 49].

제42조
공무원이 좌의 각호의 1에 해당할 때에는 임명권자는 휴직을 명할 수 있다.
1. 신체정신상의 고장으로 장기의 휴양을 요할 때
2. 감찰위원회의 징계심사에 회부되었을 때
3. 형사사건으로 기소되었을 때

ARTICLE 42
When a public official falls under any of the following items, the appointing authority may order a leave of absence:
1. When a physical or mental disorder requires prolonged rest.
2. When he has been referred to disciplinary review by the Inspection Commission.
3. When he has been indicted in a criminal case.

제43조
전조제1호의 규정에 의한 휴직의 기간은 1년으로 하고 그 기간이 만료될 때까지 복직되지 아니할 때에는 당연퇴직으로 한다.
전조제2호 및 제3호의 규정에 의한 휴직의 기간은 사안의 계속기간으로 한다.
휴직자는 공무원으로서의 신분을 보유하나 직무에 종사하지 못하며 휴직 중에는 봉급의 반액을 받는다.

ARTICLE 43
The period of leave of absence under item 1 of the preceding Article shall be one year; if the official is not reinstated by the end of that period, he shall be retired by operation of law.
The period of leave of absence under items 2 and 3 of the preceding Article shall be the period for which the case continues.
A person on leave of absence retains his status as a public official but may not perform duties, and receives half his salary during the leave.

제44조
좌에 열거하는 공무원의 신분에 관하여서는 본장규정중 제40조를 제한 외에는 이를 적용하지 아니한다.
1. 임시적공무원
2. 조건부채용기간중의 공무원
3. 직제 혹은 정원의 개폐 또는 예산의 감소에 의하여 폐직 또는 과원이 되거나 등급의 감강과 동일한 결과가 된 공무원

ARTICLE 44
As regards the status of the public officials listed below, the provisions of this Chapter other than Article 40 shall not apply:
1. Temporary public officials.
2. Public officials during the period of conditional employment.
3. Public officials whose posts have been abolished or who have become surplus because of the establishment, revision, or abolition of organizational regulations or authorized numbers, or a reduction of the budget, or for whom the result is the same as a reduction in grade.

제6장 징계

CHAPTER VI. DISCIPLINE

제45조
공무원이 좌의 각호의 1에 해당할 경우에는 징계처분으로서 면직, 정직, 감봉 또는 견책의 처분을 할 수 있다. 단, 감찰위원회의 징계의결을 수리하였을 때에는그 의결에 의한 처분을 하여야 한다.
1. 본법의 규정에 위반하여 공무원의 본분에 배치되는 소위가 있을 때
2. 직무상의 의무에 위반하거나 또는 직무를 태만하였을 때
3. 2급 및 3급공무원의 면직, 정직과 감봉은 특별징계위원회의 의결로써 임명권자가 행한다.
전항에 규정된 공무원의 소속관서의 장은 특별징계위원회에 대하여 사전에 의견을 진술할 수 있으며 특별징계위원회는 의결을 함에 있어서 당해공무원의 소속관서의 장의 의견을 들어서 하여야 한다.

ARTICLE 45
When a public official falls under any of the following items, the disciplinary disposition of dismissal, suspension, reduction of salary, or reprimand may be imposed. However, when a disciplinary resolution of the Inspection Commission has been received, the disposition shall be made in accordance with that resolution.
1. When, in violation of the provisions of this Act, there is conduct contrary to the duties of a public official.
2. When he violates his official obligations or neglects his duties.
3. The dismissal, suspension, and reduction of salary of Grade 2 and Grade 3 public officials shall be made by the appointing authority upon a resolution of the Special Disciplinary Committee. [As printed: this item repeats Article 47, paragraph 1, and does not state a ground for discipline.]
The head of the office to which a public official prescribed in the preceding paragraph belongs may state his opinion to the Special Disciplinary Committee in advance, and the Special Disciplinary Committee shall hear the opinion of the head of that official’s office in making its resolution. [As printed: this paragraph repeats Article 47, paragraph 2.]

제46조
정직의 기간은 1월이상 6월이하로 한다.
정직자는 공무원으로서의 신분을 보유하나 그 직무에 종사하지 못하며 정직기간중 봉급의 3분지 1을 받는다.
감봉은 1월이상 1년이하 봉급의 3분지 1이하로 한다.

ARTICLE 46
The period of suspension shall be not less than one month and not more than six months.
A suspended official retains his status as a public official but may not perform his duties, and receives one third of his salary during the period of suspension.
Reduction of salary shall be by not more than one third of salary for not less than one month and not more than one year.

제47조
2급 및 3급공무원의 면직, 정직과 감봉은 특별징계위원회의 의결로써 임명권자가 행한다.
전항에 규정된 공무원의 소속관서의 장은 특별징계위원회에 대하여 사전에 의견을 진술할 수 있으며 특별징계위원회는 의결을 함에 있어서 당해공무원의 소속관서의 장의 의견을 들어서 하여야 한다.

ARTICLE 47
The dismissal, suspension, and reduction of salary of Grade 2 and Grade 3 public officials shall be made by the appointing authority upon a resolution of the Special Disciplinary Committee.
The head of the office to which a public official prescribed in the preceding paragraph belongs may state his opinion to the Special Disciplinary Committee in advance, and the Special Disciplinary Committee shall hear the opinion of the head of that official’s office in making its resolution.

제48조
감찰위원회에서 행하는 공무원의 위법행위 또는 비행에 대한 징계의결의 종류는 면직, 정직과 감봉으로 한다.
전항의 징계의결에 관하여서는 본법의 규정을 준용한다.

ARTICLE 48
The kinds of disciplinary resolution made by the Inspection Commission for unlawful acts or misconduct of public officials shall be dismissal, suspension, and reduction of salary.
The provisions of this Act shall apply mutatis mutandis to disciplinary resolutions under the preceding paragraph.

제49조
특별징계위원회는 국무총리를 위원장, 총무처장을 부위원장으로 하고 각부처차관 및 차장중에서 대통령이 임명하는 위원7인으로써 조직한다.
보통징계위원회는 임명권자를 위원장으로 하고 소속3급이상의 공무원중에서 위원장이 임명하는 위원7인으로써 조직한다.

ARTICLE 49
The Special Disciplinary Committee shall consist of the Prime Minister as chairman, the Director of the Office of General Affairs as vice-chairman, and seven members appointed by the President from among the vice-ministers and deputy heads of the ministries and offices.
An Ordinary Disciplinary Committee shall consist of the appointing authority as chairman and seven members appointed by the chairman from among the public officials of Grade 3 or above under his authority.

제50조
각징계위원회는 위원장외5인이상의 출석이 있어야 하며 출석위원과반수로써 의결한다.
위원장은 표결권을 가지며 가부동삭인 경우에는 결정권을 가진다.
위원장과 부위원장이 유고시에는 위원장이 지명한 위원이 위원장의 직무를 행한다.

ARTICLE 50
Each disciplinary committee requires the attendance of the chairman and at least five other members, and decides by a majority of the members present.
The chairman has a vote and, in case of a tie, the deciding vote.
When the chairman and vice-chairman are prevented from acting, a member designated by the chairman shall perform the chairman's duties.

제51조
징계위원회 기타징계에 관하여 필요한 사항은 대통령령으로 정한다.

ARTICLE 51
Matters necessary concerning disciplinary committees and other aspects of discipline shall be prescribed by Presidential Decree.

제52조
징계에 부하여야 할 사건이 형사재판에 계속중인 때 또는 감찰위원회에서 징계심사중인 때에는 동일사건에 관하여 징계의 수속을 진행하지 못한다.

ARTICLE 52
While a case that should be referred for discipline is pending in a criminal trial, or is under disciplinary review by the Inspection Commission, disciplinary proceedings may not be pursued in respect of the same case.

제7장 벌칙 CHAPTER VII. PENAL PROVISIONS

제53조 제21조의 규정에 위반하였을 때에는 1년 이하의 징역에 처한다.	ARTICLE 53 A person who violates Article 21 shall be punished by penal servitude of not more than one year.

부칙 ＜법률 제44호, 1949. 8. 12.＞	SUPPLEMENTARY PROVISIONS Act No. 44, 12 August 1949

제54조 본법은 공포일로부터 시행한다.	ARTICLE 54 This Act shall enter into force on the date of its promulgation.

제55조 본법 시행시에 재직하는 공무원은 본법 시행일로부터 1년이내에 본법의 정하는 바에 의하여 고시 또는 전형에 합격하여야 하며 불합격인 때에는 당연퇴직된다. 다만, 고시위원회의 준비 기타 불가피한 사유가 있을 경우에는 대통령은 일정한 범위를 정하여 그 기간은 6개월연장할 수 있다.	ARTICLE 55 Public officials in office when this Act enters into force shall pass an examination or screening as prescribed by this Act within one year from the date this Act enters into force; if they fail, they shall be retired by operation of law. However, where there is preparation of the Examination Commission or another unavoidable cause, the President may, fixing a certain scope, extend that period by six months.

제56조 본법중 신분보장에 관한 규정은 전조의 규정에 의한 절차가 완료된 때부터 이를 적용한다.	ARTICLE 56 The provisions of this Act concerning guarantee of status shall apply from the time the procedures under the preceding Article have been completed.

The English text is a historical translation; it is not an official modern consolidated law.

Editorial apparatus

Notes and Sources

Translation and context notes

1. Examination and screening. 고시 is rendered “examination” and 전형 “screening.” 고등고시 and 보통고시 are the “higher” and “ordinary” civil-service examinations, and 고시위원회 the “Examination Commission.”

2. Article 8, item 5. The item reads “1급공무원은 대통령이 직접임명한다” (“Grade 1 public officials shall be appointed by the President directly”), which is not a ground of disqualification and repeats Article 11. It appears to be a drafting or printing error. It is translated as transmitted and marked.

3. Article 45, item 3 and paragraph 2. The third item and the following paragraph repeat Article 47 word for word and do not state a ground for discipline. They are translated as transmitted and

marked.

4. Article 41, paragraph 2. The text refers to the disciplinary committee “under Article 46,” but Article 46 concerns suspension and salary reduction; the committees are constituted in Article 49. The cross-reference is translated as printed.

5. Special service (Article 3). 별정직 is rendered “special service” and 일반직 “general service.” 각처장 are the heads of the offices (처) of the government, such as the Office of General Affairs (총무처) named in Article 49.

6. Gendered pronouns. The Korean is gender-neutral. The English uses “he” where a pronoun is unavoidable, as the archive’s other legal translations do, without implying that the Act applied only to men.

7. Original and later versions. This edition presents the text as originally enacted. Later amendments have not been inserted, and the English is not a translation of the law currently in force.

8. Source collation. The Korean text was checked against the National Law Information Center record and the Korean Wikisource transcription, which agree. It has not been collated line by line against a photographic copy of the Official Gazette (관보) printing; any variants in the original print should be recorded before a critical facsimile edition is issued.

Primary-source references

Republic of Korea, “국가공무원법” [State Public Officials Act], Act No. 44, August 12, 1949. National Law Information Center (original enactment). https://www.law.go.kr/lsInfoP.do?lsiSeq=5613.

국가공무원법, full Korean transcription, Korean Wikisource (consulted 19 November 2026; tagged as exempt from copyright under Korean law).

Suggested chicago-style citation

Republic of Korea. “국가공무원법” [State Public Officials Act]. Act No. 44, August 12, 1949. English translation by Gwangbok Archive, 2026.

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