TERRITORIAL SEA AND CONTIGUOUS ZONE ACT

Article 1 (Establishment of Exclusive Economic Zone)

Article 2 (Baseline)
(1) The ordinary baseline for measuring the breadth of the territorial sea shall be the low-water line along the coasts as marked on large-scale charts officially recognized by the Republic of Korea.
(2) In cases of the area of the sea where special geographical circumstances exist, straight lines joining points as prescribe by Presidential Decree may be employed.

Article 3 (Internal Waters)
Waters on the landward side of the baseline for measuring the breadth of the territorial sea shall be the internal waters.

Article 3-2 (Breadth of Contiguous Zone)
The contiguous zone of the Republic of Korea shall be the zone, excluding the territorial sea of the Republic of Korea, not extending beyond 24 nautical miles outwards measured from the baselines: Provided, That in specified areas, the breadth of the contiguous zone may be otherwise determined within 24 nautical miles from the baseline, as prescribed by Presidential Decree.

Article 4 (Delimitation between States with Adjacent or Opposite Coasts)
The delimitation of the territorial sea and contiguous zone between the Republic of Korea and states with adjacent or opposite coasts shall, unless otherwise agreed between the states concerned, be the median line joining every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial sea of each of the two states is measured.

Article 5 (Passage of Foreign Vessels)
(1) Foreign ships may enjoy the right of innocent passage through the territorial sea of the Republic of Korea so long as it is not prejudicial to peace, public order or security of the Republic of Korea. When a foreign warship or government ship operated for non-commercial purposes intends to pass through the territorial sea, it shall give prior notice to the authorities concerned as prescribed by Presidential Decree.
(2) Passage of a foreign ship shall be considered to be prejudicial to peace, public order or security of the Republic of Korea, if the ship engages in any of the following activities in the territorial sea: Provided, That this shall not apply to cases where the activities set out in subparagraphs 2 through 5, 11 and 13 have been permitted, approved or given consent by the authorities concerned:

1. Any threat or use of force against the sovereignty, territorial integrity or independence of the Republic of Korea, or in any other manner in violation of the principles of international law embodied in the Charter of the United Nations;
2. Any exercise or practice with weapons;
3. The launching, landing or taking on board of any aircraft;
4. The launching, landing or taking on board of any military device;
5. Underwater navigation;
6. The collection of information prejudicial to security of the Republic of Korea;
7. The propaganda or instigation prejudicial to security of the Republic of Korea;
8. The loading or unloading of any commodity, currency or person which violates the Acts and subordinate statutes of the Republic of Korea concerning customs, finances, immigration, or...
health and hygiene;
9. The discharge of pollutants exceeding the standards as prescribed by Presidential Decree;
10. Any fishing activities;
11. Conduct of research or survey activities;
12. Any act of interfering with any communications system, or any other facilities or installations of the Republic of Korea;
13. Any other activity not having a direct bearing on passage as prescribed by Presidential Decree.

(3) The innocent passage of foreign ships may be temporarily suspended in specified areas of the territorial sea as prescribed by Presidential Decree if such suspension is essential for security of the Republic of Korea.

[This Article Wholly Amended by Act No. 10524, Apr. 4, 2011]

Article 6 (Stopping of Vessels, etc.)
If a foreign ship (excluding foreign warships and government ships operated for non-commercial purposes; hereinafter the same shall apply ) is deemed to have violated Article 5, the authorities concerned may stop, search or seize the ship, or issue other necessary orders or take other necessary measures.

[This Article Wholly Amended by Act No. 10524, Apr. 4, 2011]

Article 6-2 (Power of Competent Authorities in Contiguous Zones)
In the contiguous zone of the Republic of Korea, the competent authorities may exercise their official authority within the extent required for the following purposes, as prescribed by the Act and subordinate statutes:

1. Preventing infringement of the Acts and subordinate statutes of the Republic of Korea concerning customs, finances, immigration, or health and hygiene within the territory or territorial sea of the Republic of Korea;
2. Punishing infringement of the Acts and subordinate statutes of the Republic of Korea concerning customs, finances, immigration, or health and hygiene within the territory or territorial sea of the Republic of Korea.

[This Article Wholly Amended by Act No. 10524, Apr. 4, 2011]

Article 7 (Penal Provisions)
(1) Crew or other passengers on board of a foreign ship who have violated Article 5 (2) or (3) shall be punished by imprisonment for not more than five years or a fine not exceeding 200 million won, and when necessary in consideration of the circumstances, the relevant ship, its equipment, its catches, or other articles in violation may be confiscated.
(2) Crew or other passengers on board of a foreign ship who have disobeyed, hindered or evaded the order issued or the measure taken in accordance with Article 6 shall be punished by imprisonment for not more than two years or a fine not exceeding 10 million won.
(3) In cases of paragraph (1) or (2), imprisonment and fines may be imposed concurrently.
(4) In the application of this Article, if the act referred to in this Article concurrently constitutes a crime under other Acts other than this Act, it shall be punished by the severest punishment among the penal provisions of each Act.

[This Article Wholly Amended by Act No. 10524, Apr. 4, 2011]

Article 8 (Special Cases concerning Foreign Warships, etc.)
If a foreign warship or government ship operated for non-commercial purposes or its crew or passengers on board violate this Act or other relevant Acts and subordinate statutes, such ship may be required to remedy the violation or to leave the territorial sea.

[This Article Wholly Amended by Act No. 10524, Apr. 4, 2011]

ADDENDUM
This Act shall enter into force on the date as prescribed by the Presidential Decree, within 4 months from the date of the promulgation of this Act. <This Act shall enter into force on Apr. 30, 1978 under the Presidential Decree (No. 8994) promulgated on Apr. 29, 1978>

ADDENDUM <Act No. 4986, Dec. 6, 1995>
This Act shall enter into force on the date as prescribed by the Presidential Decree within the limit of one year from the date of its promulgation.

ADDENDUM <Act No. 10524, Apr. 4, 2011>
This Act shall enter into force on the date of its promulgation.